

IN RE: DEV. PLAN HEARING & PETITION	* BEFORE THE HEARING OFFICER/
FOR SPECIAL HEARING	
End of Stewarts Glen Drive, W	* ZONING COMMISSIONER
of Highland Ridge	
The Stewart property	* OF BALTIMORE COUNTY
6th Councilmanic District	
Marie Stewart, Applicant/	* Case No. X-332 & 96-346-SPH
Petitioner	
* * * * *	

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer as a combined hearing, for the project known as the development of the Stewart property located near Phoenix and Highland Ridge Roads in northern Baltimore County. The combined zoning/development hearing is authorized by Section 26-206.1 of the Baltimore County Code. The property owner seeks approval of a development plan (Developer's Exhibit No. 1), which provides for development of the subject property with 8 single family dwelling lots. Moreover, a Petition for Special Hearing has been filed in case No. 96-346-SPH requesting confirmation that the prior conveyances of Parcels A and B were non-density transfers and affirmation that the original R.C.4 density for the tract permits 9 lots. A plat to accompany the Petition for Special Hearing, identical to the development plan, was submitted as Petitioner's Exhibit No. 1.

As to the history of the project's review through the development process, a concept plan was submitted for this project on November 6, 1995. A Community Input Meeting, as required by the Code, was conducted on December 13, 1995 at the Jackson Elementary School in Phoenix, Maryland. A development plan was submitted and a conference was held thereon on April 3, 1996. The combined Hearing Officer's hearing and the Petition for Special Hearing was conducted in its entirety on April 25, 1996.

Appearing at the requisite Hearing Officer's hearing on behalf of the Petitioner/Applicant was Marie L.F. Stewart, property owner. Also appear-

ORDER RECEIVED FOR FILING

Date 4/29/96
By M. Drake

MICROFILMED

ing in support of the Petition was Guy C. Ward and Geoffrey C. Schultz from McKee and Associates, the engineers who prepared the plan. Thomas L. Pittman, Jr., developer, also appeared, as did Howard L. Alderman, Jr., Esquire. Appearing as interested persons were Helen Merritt, David Kaufman, Otis E. Mace and Joyce Lammlein, neighboring property owners.

Appearing on behalf of the various Baltimore County agencies which evaluated the project were Don Roscoe, the Project Manager, Kate Milton Bob Bowling and Ron Goodwin from the Office of Permits and Development Management (PDM), Ervin McDaniel from the Office of Planning (OP), and R. Bruce Seeley, David Lykens, Wally Lippincott, and Gayle Parker from the Department of Environmental Protection and Resource Management (DEPRM).

Considering first the development plan, the developer submitted a red line plan at the hearing which fully depicts the site and proposed development. The red line amendments shown on the plan were added to address County agency's development plan comments. The plan shows that the overall tract is approximately 45.252 acres in area, zoned R.C.5. The parcel is located in northern Baltimore County in a rural residential area. Presently, the site is improved with an existing dwelling and stables. The balance of the site contains a stream, wetlands, a pond, steep slopes and is largely wooded. The developer proposes subdividing the site so as to create 8 single family dwelling lots. The lots will all be approximately 1 acre or larger in area and are clustered on the eastern side of the site. Vehicular access to the lots will be by way of an extension of Stewarts Glen Drive, which intersects Highland Ridge Drive nearby.

Pursuant to Section 26-206, the Hearing Officer is first required to identify any open issues and unresolved agency comments at the Hearing Officer's hearing. In this regard, Mr. Alderman, on behalf of the developer, proffered that there were no outstanding issues or comments. That is,

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Date

By

4/29/96
M. D. D. D.

the developer believes that the red line plan, as submitted, is in compliance with all County rules, regulations and policies relating to development. He did make several comments, however, regarding the plan. Specifically, in view of the fact that the property is zoned R.C.4, which permits a clustering of the subdivision, Mr. Alderman noted that there made be minor realignment of the internal lot lines at a later date. The red line plan shows an altered configuration of these lot lines from the initial plan which was submitted. Any future adjustment will apparently be minor and will relate only to internal lot lines and not impact offsite property.

Mr. Alderman also noted, and requested that same be made part of the record of this case, that there would be no connection between the extension of Stewarts Glen Drive and Phoenix Road to the west. That is, Stewarts Glen Drive will be extended into the interior of the site so as to provide vehicular access to the proposed single family dwelling lots. However, the road will terminate at a cul-de-sac and thru traffic will not be allowed.

Mr. Alderman also observed that certain covenants, similar to those covenants on record for the nearby subdivision (Highlands at Hunt Valley) would be recorded for this subdivision. Lastly, he discussed the street lights which will be installed for the community. The existing street light at the intersection of Highland Ridge Drive and Stewarts Glen Drive will be retained and two additional lights will be added along the extension of Stewarts Glen Drive. These lights are all shown on the plan.

As to the agency representatives present, Mr. Seeley, from DEPRM, identified a minor issue. Specifically, he indicated that the adjustment of the lot lines on the red line plan had resulted in the placement of two wells on a single lot and no wells on an adjacent lot. The well locations

ORDER RECEIVED FOR FILING

Date

By

4/29/96
M. D. D. D.

As to the zoning case, the relief sought ties in with the proposed development. In this regard, Mr. Alderman indicated that two parcels from the original tract owned by Mrs. Stewart had been previously conveyed. Parcel A, which is .762 acres, was conveyed to the Kaufmans' predecessor in title in 1986 and ultimately acquired by Mr. and Mrs. Kaufman when they purchased their property. Parcel A is shown on the development plan as a cross hatched lot adjacent to the southeast portion of the site. The second parcel, designated as parcel B of .50 acres, was conveyed by Mrs. Stewart to Marla Hollinsworth and Joyce Lammlein on or about April 8, 1993. Her parcel is also identified by a cross hatch section on the plan.

An amendment to the Petition was offered at the hearing, adding the present property owners (i.e., Mr. and Mrs. Kaufman, Ms. Hollinsworth and Ms. Lammlein) as Petitioners. Moreover, uncontradicted testimony and evidence presented was persuasive that these prior conveyances were undertaken solely as lot line adjustments and not to impact the density of the Stewart tract. That is, Ms. Stewart made these out conveyances at the request of offsite property owners to provide them with larger yard areas. Although the conveyances were clearly done for that purpose, the acreage involved must be computed in determining the entire R.C.4 tract at issue and in determining the 70% conservancy area required by law. In my judgment, it is clear that the Petition for Special Hearing should be granted and I find that a granting of the Petition will not, in any manner, adversely affect the health, safety and general welfare of the locale.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the development plan consistent with the comments set forth above and shall so order.

ORDER RECEIVED FOR FILING

Date

By

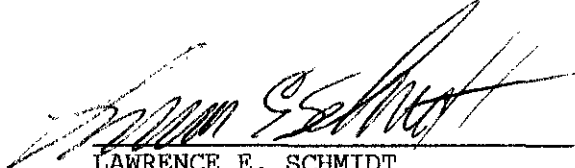
THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 29th day of April 1996, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is hereby APPROVED in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval for prior conveyances of Parcels A and B were non-density transfers and affirmation that the original R.C.4 density for the tract permits 9 lots, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Developer/Petitioner shall install suitable landscaping on the north and south sides of Stewarts Glen Drive, on the the properties owned by William T. and Helen Merritt, and David and Rose Marie Kaufman in order to screen/buffer those properties from the road.
2. Stewarts Glen Drive shall not be extended and connected with Phoenix Road but shall terminate as a cul-de-sac within the subject property, as shown on the plan.

IT IS FURTHER ORDERED that the Developer shall prepare and submit to Permits and Development Management (PDM), within 10 days from the date of this Order, a development plan which reflects and incorporates the terms, conditions, and restrictions, if any, of this opinion and Order and/or the development plan comments.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

LES:mmn

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 29, 1996

Howard L. Alderman, Jr., Esquire
Levin and Gann
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. X-332 and 96-346-SPH
Development Plan Order & Petition for Special Hearing
Project: Stewart Property
Applicant/property owner: Marie L.F. Stewart
Developer: Thomas L. Pittman

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order and Petition for Special Hearing have been approved.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

c: Thomas L. Pittman, Jr.
Ms. Marie L.F. Stewart
Geoffrey C. Schultz and Guy C. Ward, McKee and Assoc.
Mrs. Helen Merritt
Mr. David Kaufman
Mr. Otis E. Mace
Ms. Joyce Lammlein
c: Baltimore County Representatives

MICROFILMED





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

14309 Phoenix Road

which is presently zoned

RC-4

96-346-SRH

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the prior conveyances of Parcels A and B as non-density transfers and to reaffirm the original RC-4 density for the property of 9 lots permitted.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Thomas L. Pitman, Jr.

(Type or Print Name)

Signature

15722 Irish Avenue

Address

Monkton, Maryland 472-4184

City

State

Zipcode

Attorney for Petitioner:

Howard Alderman

Levin and Gann

(Type or Print Name)

Signature

321-0600

305 West Pennsylvania Avenue

Address

Phone No.

Towson, Maryland 21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Marie L. F. Stewart

(Type or Print Name)

Signature

(Type or Print Name)

Signature

14309 Phoenix Road

Address

Phone No.

Phoenix, Maryland

City

State

21131

Zipcode

Name, Address and phone number of representative to be contacted.

McKee & Associates, Inc.

Name

5 Shawan Road

Address

Hunt Valley, Maryland 21030

527-1555

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: MDK

DATE 3/18/96

* schedule w/ HOH



MICROFILMED



MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563

March 13, 1996

96-346-SPH

ZONING DESCRIPTION
STEWART PROPERTY
14309 PHOENIX ROAD
TENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the south side of Stewarts Glen Drive (50 foot wide right-of-way), at a distance of 260 feet west of the centerline of Highland Ridge Drive; thence running by a curve to the left, having a radius of 350.00 feet, an arc length of 358.53 feet, and being subtended by a chord bearing and distance of South 53° 46' 08" West 338.73 feet; thence South 04° 14' 32" East 532.85 feet, South 10° 32' 03" East 190.69 feet, South 88° 17' 07" West 382.82 feet, North 39° 22' 23" West 321.11 feet, South 71° 26' 24" West 272.75 feet, South 27° 09' 40" East 55.91 feet, South 73° 09' 30" West 216.30 feet, North 13° 35' 22" West 92.34 feet, South 85° 44' 51" West 138.39 feet, South 72° 02' 16" West 297.12 feet, North 00° 26' 22" East 595.20 feet, South 68° 31' 26" West 305.23 feet, North 08° 11' 30" West 12.34 feet, North 68° 31' 26" East 307.92 feet, North 03° 14' 34" East 9.68 feet, North 68° 16' 25" East 48.32 feet, South 78° 35' 20" East 71.39 feet, North 10° 58' 52" West 287.65 feet, South 84° 39' 43" East 210.77 feet, North 53° 02' 50" East 609.34 feet, North 49° 52' 27" East 1,320.20 feet, South 09° 41' 56" West 781.10 feet, and South 03° 33' 07" East 438.94 feet to the place of beginning.

Containing 44.752 acres of land as recorded in deed Liber 5163, folio 502.



350

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Description of Stewart Property
March 13, 1996
Page Two

96-346-SPH

Parcel A

Beginning at a point at the end of the first line of the previously described Stewart Property; thence running North $82^{\circ} 22' 10''$ East 285.98 feet, North $03^{\circ} 31' 48''$ West 162.57 feet, and by a curve to the left with a radius of 350.00 feet and an arc length of 358.53 feet to the place of beginning.

Containing 0.762 acres of land as recorded in deed Liber 7209, folio 703.

Parcel B

Beginning at a point located North $84^{\circ} 39' 43''$ West 43.80 feet from the end of the 19th line of the previously described Stewart Property; thence running South $00^{\circ} 23' 48''$ West 291.03 feet, North $68^{\circ} 16' 25''$ East 48.32 feet, South $78^{\circ} 35' 30''$ East 71.39 feet, North $10^{\circ} 58' 52''$ West 287.65 feet, and North $84^{\circ} 39' 43''$ West 43.80 feet to the place of beginning.

Containing 0.500 acres of land as recorded in deed Liber 9701, folio 751.

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 10th Date of Posting 3-29-96
Posted for: CASE No. X-332 - A 96-346 SPH
Petitioner: "Stewart Property"
Location of property: 14809 PHOENIX ROAD
Location of Signs: SEE ATTACHED SITE PLAN
Remarks: _____
Posted by: Hunter Rowe Date of return: _____
Number of Signs: 2
Signature _____
UNRECORDED

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #95-346-SPH

(Item 350)

14309 Phoenix Road

S/S Stewarts Glen Drive, 260'

W of of Highland Ridge Drive

10th Election District

3rd Councilmanic

Legal Owner(s):

Marie L.F. Stewart

Contract Purchaser:

Thomas L. Platon, Jr.

Special Hearing: To approve the prior conveyances of Parcel A and B as non-density transfers and to reaffirm the original R.C.-4 density for the property of 9 lots permitted. Hearing: Thursday, April 25, 1996 at 11:30 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: All Hearings are Handicapped Accessible for special accommodations. Please Call 887-3353.

(2) For information concerning the file and/or hearing, Please Call 887-3361.

3/23/97 March 28 C40804

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/28, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/28, 1996.

THE JEFFERSONIAN,

A. Henriksen

LEGAL AD. - TOWSON

RECORDED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

№ 090-000

96-346-SPH

DATE 3/10/96 ACCOUNT 01-615

Item: 350

By: MMK

AMOUNT \$ 285.00

RECEIVED FROM: Stewarts Glen LLC - 14309 Phoenix Road

040 - Special Handling - \$ 250.00

080 - 1 sign - \$ 35.00

\$ 285.00

FOR: _____

MICROFILMED

DATE MICROFILMED

BY _____

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER

YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 350 Petitioner: Owner: Stewart, Marie L.F.

Location: 14309 Phoenix Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: THOMAS L. PITMAN, JR.

ADDRESS: 15722 IRISH AVENUE

MONKTON, MD. 21111

PHONE NUMBER: 472-4184



TO: PUTTENT PUBLISHING COMPANY
March 28, 1996 Issue - Jeffersonian

Please forward billing to:

Thomas L. Pitman, Jr.
15722 Irist Avenue
Monkton, MD 21111
472-4184

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-346-SPH (Item 350)
14309 Phoenix Road
S/S Stewarts Glen Drive, 260' W of c/l Highland Ridge Drive
10th Election District - 3rd Councilmanic
Legal Owner: Marie L.F. Stewart
Contract Purchaser: Thomas L. Pitman, Jr.

Special Hearing to approve the prior conveyances of Parcel A and B as non-density transfers and to reaffirm the original R.C.-4 density for the property of 9 lots permitted.

HEARING: THURSDAY, APRIL 25, 1996 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 25, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

DEVELOPMENT PLAN HEARING

Project Number: X-332

Project Name: Stewart Property

Location: End of Stewarts Glen Drive, W of Highland Ridge

Acres: 44

Developer: Marie Stewart

Proposal: 8 single family dwellings

and

CASE NUMBER: 96-346-SPH (Item 350)

14309 Phoenix Road

S/S Stewarts Glen Drive, 260' W of c/l Highland Ridge Drive

10th Election District - 3rd Councilmanic

Legal Owner: Marie L.F. Stewart

Contract Purchaser: Thomas L. Pitman, Jr.

Special Hearing to approve the prior conveyances of Parcel A and B as non-densith transfers and to reaffirm the original R.C.-4 density for the property of 9 lots permitted.

HEARING: THURSDAY, APRIL 25, 1996 at 11:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Marie L. F. Stewart
Thomas L. Pitman, Jr.
Howard Alderman, Esq.
McKee & Associates, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 19, 1996

Mr. Howard Alderman, Esquire
Levin and Gann
305 West Pennsylvania Avenue
Towson, MD 21204

RE: Item No.: 350
Case No.: 96-346-SPH
Petitioner: Marie L. F. Stewart

Dear Mr. Alderman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

3-20-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 350 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: April 1, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 1, 1996
Item Nos. 344, 346, 347, 348, 349, 350

The Development Plans Review Division has reviewed the subject zoning item, and we have no comment.

RWB:jrb

cc: File

ZONE4A

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 03/21/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: MARIE L.F. STEWART

Location: S/S STEWARTS GLEN DR., 260' W OF CENTERLINE HIGHLAND RIDGE DR.
(14309 PHOENIX RD.)

Item No.: 350

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

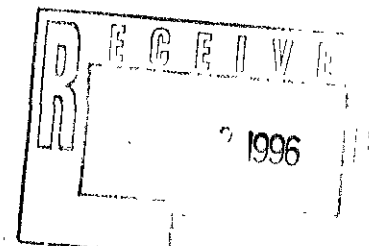
REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

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PETITION PROBLEMS

#343 --- MJK

1. Need original signature for person signing for legal owner.
2. Need original signature for person signing for contract purchaser.

#344 --- JJS

1. No section numbers listed for variance on petition form.

#345 --- JRA

1. No review information completed on bottom of petition form.

#350 --- MJK

1. No telephone number for legal owner.

MICROFILMED

RE: DEVELOPMENT PLAN HEARING	*	BEFORE THE
PETITION FOR SPECIAL HEARING		
Stewart Property - End of Stewarts Glen	*	ZONING COMMISSIONER
Drive, W of Highland Ridge; Proposed 8		
single family dwellings on 44 acres;	*	OF BALTIMORE COUNTY
14309 Phoenix Road, S/S Stewarts Glen Dr,		
260' W of c/l Highland Ridge Dr, 10th	*	CASE NOS. X-332/
Election District, 3rd Councilmanic		96-346-SPH
	*	
Legal Owner: Marie L.F. Stewart		
Contract Purchaser: Thomas L. Pitman, Jr.	*	
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Howard Alderman, Esquire, Levin and Gann, 305 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

MICROFILMED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 29, 1998

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: DEVELOPMENT PLAN & PETITION FOR SPECIAL HEARING
Stewart Property
Cases Nos. X-332 and 96-346-SPH

Dear Mr. Alderman:

As you are aware, Mr. Avery Harden, Baltimore County's Landscape Architect, has forwarded to me a copy of the Final Landscape Plan prepared for the above-captioned "Stewart Property". Mr. Harden forwarded the plan to me, seeking my evaluation relative to Restriction No. 1 of my Order, dated April 29, 1996, which granted approval of the development plan.

Although a landscape plan is not specifically required, as a general matter, for residential development in the R.C.4 zone, based on the comments received at the Hearing Officer's Hearing, I required, pursuant to Restriction No. 1 of my Order, that the Developer "install suitable landscaping on the north and south sides of Stewarts Glen Drive, on the properties owned by William T. and Helen Merritt, and David and Rose Marie Kaufman, in order to screen/buffer those properties from the road." I have confirmed that the required screening was actually installed in the right-of-way of Stewarts Glen Drive to enable the Stewarts Glen Homeowners' Association to maintain the landscaping. Additionally, based upon a site visit that I made late in the summer, I noted a significant amount of planting installed by the Developer on the Kaufman's property, well inside the property line.

Based upon my review of my decision and Order in this matter, the Final Landscape Plan as submitted, and my personal inspection of the landscaping as installed, I find that the Developer has met the requirements of my Order and by copy of this letter to Mr. Harden, I will so advise.

Should you, the Developer of Stewarts Glen, or Mr. Harden have any further questions in this regard, please do not hesitate to contact me.

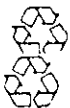
Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Avery Harden, DPDM; Case/Files



Printed with Soybean Ink
on Recycled Paper

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

July 31, 1997

William T. Merritt, M.D.
2135 Highland Ridge Drive
Phoenix, Maryland 21131

RE: Case Nos. X-332 and 96-346-SPH
Property: The Stewart Property
Location: End of Stewarts Glen Drive, W of Highland Ridge

Dear Dr. Merritt:

This is in response to your letter dated July 21, 1997.

I have reviewed the Hearing Officer's opinion, development plan and special hearing Order which I issued for the development plan for the property known as the Stewart property on April 29, 1996. I was unable to find any specific language within that opinion and Order referencing the curbing of the roadway which abuts your property. The key to a resolution of your concern would be a review of the approved development plan. Once my opinion and Order is issued, the plan and file is transferred from my office to the Dept. of Permits and Development Management. The file is maintained in that office during the course of permit issuance and actual construction of the site. This office is located in Room 111, the County Office Building, 111 W. Chesapeake Avenue in Towson.

I suggest that you review the plan at that office. Obviously, the plans are quite detailed and I believe that it would be much easier for you to locate the exact section of the roadway about which you are concerned. The plan will show the development for the entire 45.32 acre parcel, and I believe that you will be much more able than I to examine the plan and locate the area of concern given the large acreage of the property.

If the plan shows that curbing is required and same has not been constructed, then the developer would be required to bring the project into compliance with the plan. If the plan does not show curbing, then none is required. Additionally, you may have civil remedies at law if there is any agreement by and between you and the developer which was breached.

I trust that the above has addressed your concerns.

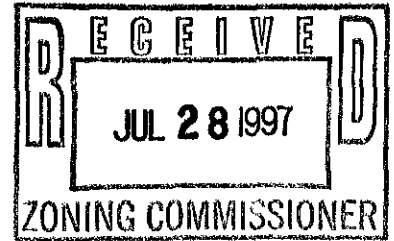
Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn





July 21, 1997

Re: Case #x-332
96-346-SPH

Lawrence E. Schmidt
Zoning Commissioner
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Dear Mr. Schmidt:

I live adjacent to the roadway entering the Stewart Property Development off Highland Ridge Drive in Baltimore County. The manner in which the curbing of that roadway abuts our property goes against the spirit and letter of written and verbal agreements made with Mr. Tom Pittman the developer of that property along with McKee and Associates. Going back to a December 1995 meeting at the Jacksonville Elementary School we were assured that the curbing would come around to meet our driveway; that has not happened. It stops about 6 feet short. This presents an unsightly curbing junction at the top of our yard/Stewart property right of way.

What is our recourse at this point?

Sincerely,

A handwritten signature in black ink, appearing to read "W. Merritt".

William T. Merritt, M.D.
2135 Highland Ridge Drive
Phoenix, Maryland 21131

References:

Your letter of April 29, 1996
Our letter of December 13, 1995 (enclosed)

cc: Thomas L. Pittman
Geoffrey C. Schultz

December 13, 1995

Meeting: Stewart Property Development

Subject of this Letter: Concerns of W. T. and Helen Merritt
2135 Highland Ridge Drive

- 1-No access from Highland Ridge Drive through the Stewart development to Phoenix Road. Development must be dead end.
- 2-Highlands covenants be respected, especially with regard to garage door placement
- 3-Street light at top of drive at 2135 Highland Ridge Drive remains in place and functional.
- 4-Cover trees (extending low to ground) be planted along bottom third/corner of Stewarts Glen Drive and 2135 Highland Ridge Drive property.
- 5-The "mountable concrete curb along the first 254' of Stewarts Glen Drive" continue out to the drive at 2135 Highland Ridge Drive
- 6-All storm drain covers be 'bicycle' safe.
- 7-All storm drainage drain away from property at 2135 Highland Ridge Drive.
- 8-At time of establishment of Stewarts Glen Drive that grading and seeding of edges of roadbed abutting 2135 Highland Ridge Drive be to the satisfaction of above listed owners.

26 March 96

Tim

I called Howard Alderman this morning and indicated that we need additional signatures on the petition.

This is because Ms. Stewart is no longer the owner of parcels "A" and "B" (see site plan) and Deeds #3881/8981

7209/703 dated 7/16/86 from ^{Marie L.F.} Stewart to ^{Alvin R. & Marilyn?} Carpenter and 9701/751 dated 4/8/93 from ^{Marie L.F.} Stewart to Joyce A. Lambley and ~~Marla~~ Marla J. Hollandsworth

MICROFILMED

App. No. 98664

REAL ESTATE TITLE COMPANY,
INCORPORATED
Keyser Building
Baltimore, Md.
LE xington 9-3212



FEE SIMPLE DEED

OUT CONVEYANCE No. I

This Deed, Made this

10th

day of August

in the year one thousand nine hundred and seventy-three by and between

MARIE L. F. STEWART, of Baltimore County, in the State of Maryland, party of the
first part, and DORIS H. NICOLETTE, of Baltimore County, in the State of Maryland,
party of the second part.

AUG 28-73	248750	***125.70
AUG 28-73	248750	***46.20
AUG 28-73	248749	***70.00
AUG 28-73	248748	***9.50

WITNESSETH that in consideration of the sum of Five (\$5.00) Dollars and other
good and valuable considerations, the receipt whereof is hereby acknowledged, the
said party of the first part

do es grant and convey unto the said party of the second part, her

personal representatives
heirs and assigns, in fee-simple, all those lots or parcels of ground,
situate, lying and being in

Baltimore County, State of Maryland,

and described as follows, that is to say

BEGINNING for the first and being known and designated as Lot No. 3, as shown on Plat
entitled "Subdivision of Nos. 14309 and 14311 Phoenix Road", which Plat is recorded
among the Plat Records of Baltimore County in Plat Book ENK, Jr. No. 36 folio 9, together
with the right and use thereof in common with others entitled thereto of an existing 20
footright of way shown on the aforesaid Plat recorded in Plat Book ENK, Jr. No. 36 folio 9,
said 20 foot right of way extends from Lot No. 3 and adjacent land to the west thereof
to Phoenix Road and is used as a means of access for said land.

BEING part of all that lot or parcel of ground described in a Deed from Jerald David
Mazer to Marie L. F. Stewart, recorded among the Land Records of Baltimore County on
February 4, 1971 in Liber OTG No. 5163 folio 502.

BEGINNING for the second at a point in the thirteenth or North 0 degrees 02 minutes West
330.25 foot line of a parcel of land which by a deed dated March 28, 1957 and recorded
among the Land Records of Baltimore County in Liber GLB No. 3132 folio 26, was conveyed
by Richard H. Cordell and wife to John L. Hyde and wife, said point being distant, as now
surveyed, North 8 degrees 08 minutes 58 seconds West 20.57 feet measured along said
thirteenth line from the beginning thereof; and running thence with and binding on a
part of said thirteenth line, North 8 degrees 08 minutes 58 seconds West 4.11 feet;
thence leaving said outline and running for lines of division parallel with and distant
24 feet northwesterly measured at right angles from the twelfth and eleventh lines of
said parcel of land the two following courses and distances viz: South 68 degrees 19
minutes 54 seconds West 222.60 feet and South 49 degrees 44 minutes 54 seconds West
318.57 feet to the northeast right of way line of Phoenix Road as proposed to be widened;
thence binding on said right of way line, South 54 degrees 03 minutes 00 seconds East

2008 18 20
2008 18 20

210.00 MSC

4.12 feet; and thence leaving said right of wayline and running parallel with and distant 20 feet northwesterly measured at right angles from the aforesaid eleventh and twelfth lines and binding on the northwesternmost side of an existing 20 foot right of way, the two following courses and distances, viz: North 49 degrees 44 minutes 54 seconds East 316.94 feet and North 68 degrees 19 minutes 54 seconds East 220.96 feet to the place of beginning; containing 0.05 of an acre of land, more or less, and constituting the northwesternmost 4 feet of a "panhandle" for Lot No. 3 as shown on the Plat entitled "Subdivision of Nos. 14309 and 14311 Phoenix Road, which said Plat is recorded among the Land Records of Baltimore County in Plat Book EHK, Jr. No. 36 folio 9.

BEING THE same lot of ground described in a Deed from John Lawrence Hyde and Fredena F. Hyde, his wife, to Marie L. Stewart, dated November 30, 1972 and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 5325 folio 091.

OUT CONVEYANCE NO. II

This Deed, MADE THIS 17th day of June

in the year one thousand nine hundred and eighty-six

by and between

MARIE L.F. STEWART

of Baltimore County, State of Maryland,

Party

of the first part, and

ALVIN R. CARPENTER AND MARILYN R. CARPENTER, HIS WIFE,

Parties

of the second part.

WITNESSETH, That in consideration of the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00) and other good and valuable considerations, the receipt of which is hereby acknowledged,

the said Party of the First Part,

do es grant and convey to the said Parties of the Second Part, as tenants by the entireties, their assigns, the survivor of them and the survivor's

personal representatives ~~and assigns~~ and assigns

, in fee simple, all

that lot of ground situate in Baltimore County, State of Maryland

and described as follows, that is to say:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

B RC F 15.00
B T TX 75.00
B DUCS 75.00
DEED 0
EHN JR T 165.00
#20787 C004 R01 T09:1
07/16/8

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION

KAP 6/26/86
CLERK DATE

AGRICULTURAL TRANSFER TAX

AMOUNT \$1600.00

SIGNATURE *Bur* DATE 6/24/86

C 179*****24000^a 824qA

MICROFILMED # 350.

All that piece or parcel of land sit etc, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a pipe heretofore set at the beginning of the eighteenth or North 82 degrees 22 minutes 10 seconds East 285.98 foot line of a parcel of land which by a deed dated January 1971 and recorded among the Land Records of Baltimore County in Liber O.T.G.No. 5163 folio 502 was conveyed by Jerald David Mazer to Marie L. P. Stewart and running thence with and binding on said eighteenth line and on a part of the nineteenth line of said parcel of land and binding on the outlines of the Amended Plat 3 of The Highlands of Frost Valley which plat is recorded among the Plat Records of Baltimore County in Plat Book E.H.E.Jr. No. 39 folio 78, the two following courses and dist are viz: North 82 degrees 22 minutes 10 seconds East 285.98 feet to a pipe heretofore set and North 3 degrees 31 minutes 46 seconds West 162.57 feet and thence leaving said outlines and running for a line of division, Southwesterly by a line curving toward the left having a radius of 350 feet for an arc distance of 353.77 feet (the chord of said arc bearing South 53 degrees 47 minutes 10 seconds West 338.91 feet) to the place of beginning.

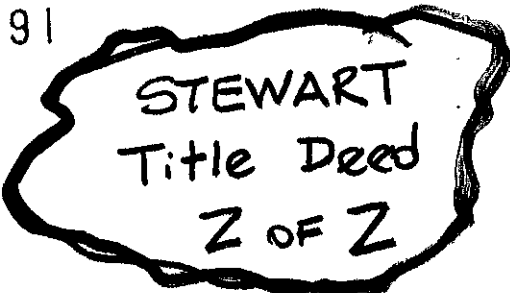
Containing 0.762 of an Acre of land more or less.

BEING a part of the same lot of ground which by Deed dated January 22, 1971 and recorded among the Land Records of Baltimore County in Liber OTG No. 5163, folio 502, which was granted and conveyed by Jerald David Mazer, unto the Grantor herein.

CLERK'S NOTATION

Document submitted for record in
a condition not permitting satis-
factory photographic reproduction.

LIBER 5325 PAGE 091



STEWART
Title Deed
Z of Z

THIS DEED, Made this 30th----day of November, in the year one thousand nine hundred and seventy-two, by and between ✓JOHN LAWRENCE HYDE and ✓FREDENA F. HYDE, his wife, of Baltimore County, State of Maryland, parties of the first part, and ✓MARIE L. STEWART, party of the second part.

WITNESSETH, that for and in consideration of the sum of Five Dollars and other good and valuable considerations, this day paid, receipt whereof is hereby acknowledged, the said JOHN LAWRENCE HYDE and FREDENA F. HYDE, his wife, do hereby grant and convey unto the said MARIE L. STEWART, her heirs, personal representatives and assigns, in fee simple, all that lot or parcel of ground situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland, and described as follows:

BEGINNING for the same at a point in the thirteenth or North 0 degrees 02 minutes West 330.25 foot line of a parcel of land which by a deed dated March 28, 1957, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3132 folio 26, was conveyed by Richard H. Cordell and wife to John L. Hyde and wife, said point being distant, as now surveyed, North 8 degrees 08 minutes 58 seconds West 20.57 feet measured along said thirteenth line from the beginning thereof; and running thence with and binding on a part of said thirteenth line, North 8 degrees 08 minutes 58 seconds West 4.11 feet; thence leaving said outline and running for lines of division parallel with and distant 24 feet northwesterly measured at right angles from the twelfth and eleventh lines of said parcel of land the two following courses and distances viz: South 68 degrees 19 minutes 54 seconds West 222.60 feet and South 49 degrees 44 minutes 54 seconds West 318.57 feet to the northeast right of way line of Phoenix Road as proposed to be widened; thence binding on said right of way line, South 54 degrees 03 minutes 00 seconds East 4.12 feet; and thence leaving said right of way line and running parallel with and distant 20 feet northwesterly measured at right angles from the aforesaid eleventh and twelfth lines and binding on the northwesternmost side of an existing 20 foot right of way, the two following courses and distances, viz: North 49 degrees 44 minutes 54 seconds East 316.94 feet and North 68 degrees 19 minutes 54 seconds East 220.96 feet to the place of beginning; containing 0.05 of an acre of land, more or less, and constituting

- 2 -

the northwesternmost 4 feet of a "panhandle" for Lot No. 3 as shown on the Plat entitled "Subdivision of Nos. 14309 and 14311 Phoenix Road, which said Plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 36 Folio 9.

BEING a portion of that property which by deed dated March 28, 1957, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3132 Folio 26, was granted and conveyed by Richard H. Cordell and wife unto John Lawrence Hyde and Fredena F. Hyde, his wife.

TOGETHER with the buildings and improvements thereupon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anyway appertaining.

TO HAVE AND TO HOLD said lot or parcel of ground and premises above described and mentioned and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said MARIE L. STEWART, her heirs, personal representatives and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the within grantors.

TEST:

Virginia T. Fields
Virginia T. Fields

John Lawrence Hyde (SEAL)
John Lawrence Hyde
Fredena F. Hyde (SEAL)
Fredena F. Hyde

I HEREBY CERTIFY, that on this 30th day of November, 1972, before me, the subscriber, a notary public of the State of Maryland, in and for the County aforesaid, personally appeared JOHN LAWRENCE HYDE and FREDENA F. HYDE, his wife, the within grantors, and they acknowledged the foregoing deed to be their act.

Virginia T. Fields
Virginia T. Fields
NOTARY PUBLIC

Rec'd for record DEC 27 1972 at 9:04 AM
Per Elmer H. Kahline, Jr., Clerk
Mail to Janifer, Patten & Alwood
Receipt No. 10.50

NO TITLE EXAMINATION

DEC 27-72	2 2194F	*****14.65
DEC 27-72	2 2194C	*****2.50
DEC 27-72	2 2193C	*****1.65
DEC 27-72	2 2192C	*****10.50

ATCH * STEWART 1-61-11

LIBER 5163 PAGE 502
FEE SIMPLE DEED

THIS DEED, Made this

day of

in the year nineteen hundred and

, by and between

JERALD DAVID MAZER

MARIE L. F. STEWART
of the second part.

of the first part, and

Witnesseth, That in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt of which is hereby acknowledged

the said JERALD D. MAZER

does hereby grant and convey unto the said MARIE L. F. STEWART, her

piece or parcel of land heirs and assigns, all that ~~xxlot~~ of ground situated and lying in the Tenth Election District of Baltimore County, State of Maryland,

and particularly described as follows:

Beginning for the same at a stone marked "6" heretofore set at the beginning of the twelfth or South 53 degrees 03 minutes West 1322 feet 9 inches line of a parcel of land firstly described in a deed dated December 11, 1952 and recorded among the Land Records of Baltimore County in Liber C.L.B. No. 2219 folio 383 which was conveyed by Adam E. Abel and wife to Myland P. Stewart III and wife running thence with and binding on the twelfth, thirteenth and fourteenth lines and on a part of the last line of said parcel of land, as now surveyed, the four following courses and distances viz: South 49 degrees 54 minutes 36 seconds West 1320.84 feet to a stone marked "7", South 52 degrees 59 minutes 43 seconds West 608.11 feet to a stone marked "8", North 84 degrees 37 minutes 25 seconds West 493.38 feet to a stone marked "9" and South 42 degrees 30 minutes 00 seconds West 164.12 feet to the end of the thirteenth or North 0 degrees 02 minutes West 330.25 foot line of a parcel of land which by a deed dated August 27, 1934 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 934 folio 579 was conveyed by the Title Holding Company to Ella S. Hitchcock, thence binding reversely on said thirteenth line, South 8 degrees 03 minutes 58 seconds East 351.67 feet to a point in the sixth or North 71 degrees 56 minutes East 561 foot line of the afore-said firstly described parcel of land in the deed from Abel to Stewart, thence running with and binding on a part of said sixth line North 68 degrees 19 minutes 54 seconds East 305.00 feet to a fence post at the beginning of the third or South 9 degrees 32 minutes West 532.1 foot line of the parcel of land secondly described in the aforesaid deed from Abel to Stewart, then running with and binding on the third, fourth, fifth, sixth and seventh lines of said parcel of land the five following courses and distances viz: South 0 degrees 24 minutes 54 seconds West 533.10 feet, North 72 degrees 16 minutes 54 seconds East 297.30 feet, North 85 degrees 57 minutes 54 seconds East 138.40 feet, South 13 degrees 24 minutes 06 seconds East 52.40 feet and North 73 degrees 28 minutes 54 seconds East 216.20 feet to a pipe now set and thence leaving said outlines and running for lines of division now made the nine following courses and distances viz: North 26 degrees 59 minutes 31 seconds West 57.25 feet to a pipe, North 71 degrees 41 minutes 20 seconds East 275.03 feet to a pipe, South 29 degrees 16 minutes 50 seconds East 321.26 feet to a pipe, North 88 degrees 17 minutes 50 seconds East 382.07 feet to a pipe, North 10 degrees 30 minutes 10 seconds West 191.00 feet to a pipe, North 4 degrees 15 minutes 40 seconds West 522.57 feet to a pipe in a fence there situated, North 82 degrees 22 minutes 10 seconds East, binding on said fence,

STEWART TITLE DEED 1 OF 2

MICROFILMED

86

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said MARIE L. F. STEWART, her

heirs and assigns,

in fee simple.

And the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property granted and that he will execute such further assurances of the same as may be requisite.

Witness the hand and seal of said grantor

Test:

Jerald David Mazer

[SEAL]

[SEAL]

State of Maryland, County of Baltimore, to wit:

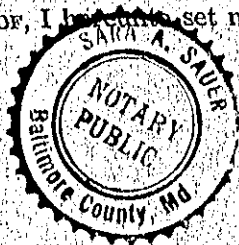
I HEREBY CERTIFY, That on this 22nd day of

before me, the subscriber, a Notary Public of the State of Maryland, in and for

, personally appeared JERALD DAVID MAZER

known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I have set my hand and official seal.



Commission expires: 7/1/74

TRANSFER TAX NOT REQUIRED

Walter R. Richardson
Director of Finance

Per: Mary J. O'Connell
Authorized Signature

Notary Public

Rec'd for record FEB 4 1971 at 10:45 AM

Per Orville T. Gosnell, Clerk

Mail to: Mr. J. P. Ketchum

Escrow No. 346738

285.98 feet to a pipe, North 3 degrees 31 minutes 48 seconds West, binding in the center of a hedgerow there situate, 601.74 feet to a pipe and North 9 degrees 45 minutes 40 seconds East 780.75 feet to the place of beginning.

Containing 48.621 Acres of land more or less.

The courses in the above description are referred to the true meridian as established by the Baltimore City Bureau of Water Supply.

Being a part of the land which by a deed dated December 11, 1952 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2219 folio 333 was conveyed by Adam E. Abel and wife to Hyland P. Stewart III and wife.

Subject to and together with the right and use thereof in common with others entitled thereto of a right of way, 20 feet wide, embracing an existing roadway and running from the land to be conveyed to Hyland P. Stewart III in a westerly direction for a part through the above described property, to the Phoenix Road, the center line thereof being described as follows to wit:

Beginning for the same at a point in the seventeenth or North 4 degrees 13 minutes 40 seconds West 532.57 foot line of the herein described parcel of land, said point being distant South 4 degrees 13 minutes 40 seconds East 10.02 feet measured reversely along said seventeenth line from a pipe set at the end thereof and running thence for the center of said 20 foot right of way and binding in the center of an existing roadway there situate, the six following courses and distances viz: South 31 degrees 01 minute 10 seconds West 54.20 feet, South 80 degrees 24 minutes 00 seconds West 281.27 feet, South 78 degrees 46 minutes 10 seconds West 433.54 feet, North 83 degrees 47 minutes 20 seconds West 189.53 feet, North 78 degrees 28 minutes 20 seconds West 357.95 feet and South 68 degrees 19 minutes 54 seconds West, running for a part, parallel with and distant 10 feet northwesterly measured at right angles from the sixth or North 68 degrees 19 minutes 54 seconds East 305.00 foot line of the herein described parcel of land, 357.69 feet to a point in the fifth line of the herein described parcel of land distant North 8 degrees 08 minutes 58 seconds West 10.28 feet measured reversely along said fifth line from the end thereof and thence running for the center of said 20 foot right of way as heretofore set forth in the herein referred to deed from the Title Holding Company to Ella S. Hitchcock and running parallel with and distant 10 feet northwesterly measured at right angles from a part of the first line and from all of the second line of a parcel of land which by a deed dated September 20, 1950 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1892 folio 70 was conveyed by Harden P. Galbraith and wife to Frederick W. Doolittle, Jr. and wife the two following courses and distances viz: South 68 degrees 19 minutes 54 seconds West 216.36 feet and South 49 degrees 44 minutes 54 seconds West 351.87 feet to the center of Phoenix Road.

Also subject to and together with the right and use thereof in common with others entitled thereto of an alternate right of way, 20 feet wide, the center line thereof being described as follows to wit:

Beginning for the same at a point in the third or South 78 degrees 46 minutes 10 seconds West 433.54 foot line of the first herein described right of way, 20 feet wide, said point being distant South 78 degrees 46 minutes 10 seconds West 370.12 feet measured along said third line from the beginning thereof and running thence for the center of said alternate right of way, 20 feet wide, the two following courses and distances viz: North 78 degrees 03 minutes 20 seconds West 414.36 feet and South 79 degrees 47 minutes 10 seconds West 174.03 feet to a point in the fifth or North 78 degrees 28 minutes 20 seconds West 357.95 foot line of the first herein described right of way, 20 feet wide, said point being distant South 78 degrees 28 minutes 20 seconds East 75.26 feet measured reversely along said fifth line from the end thereof,

OUT CONVEYANCE NO. III

Stewart

LIBR9701 PAGE751

This Deed, Made This 8th day of April, in the year one thousand nine hundred and ninety three, by and between Marie L. F. Stewart of the first part, and Joyce A. Lammlein and Marla J. Hollandsworth, as joint tenants, of the second part.

WITNESSETH, That in consideration of the sum of Seven Thousand Dollars (\$7,000.00) Maria L. P. Stewart does grant and convey to Joyce A. Lamblain and Marla J. Hollandsworth, as joint tenants, and their personal representatives/successors and assigns, in fee simple, all the piece of land, one-half acre more or less, which lies adjacent to property known as 14315 Phoenix Road and described as follows:

Beginning for the same at concrete monument, heretofore set, in the third or N 84° 37' 25" W 493.38' line of the land which was recorded among the Land Records of Baltimore County in Liber O.T.C. 5163, folio 502, was conveyed by Jerald David Hazer to Marie L. F. Stewart, at a distance of 237.05' from the end of said line, said concrete monument being also the northeasternmost corner of Lot No. 3 as shown on the Plat entitled "Subdivision of Nos. 14309 and 14311 Phoenix Road" and recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr. 36, folio 8, running thence and binding reversely on part of said third line S 84° 37' 25" E 43.80', thence leaving said third line and running for lines of division now made through the land of grantor, the 3 following courses and distances, as now surveyed, 1) S 10° 53' 50" E 287.87', 2) N 78° 28' 20" W 71.41', and 3) S 68° 19' 54" W 46.75' to intersect the easternmost outline of the aforesaid Lot No. 3, running thence and binding on part of the easternmost outline of Lot No. 3 N 3° 23' 48" E 291.03' to the place of the beginning.

Containing 0.500 acres of land more or less as shown on the plat attached hereto and made a part hereof.
Being part of the land recorded among the Land Records of Baltimore County in Liber O.T.G. 5163, folio 502, was conveyed by Jerald David Mazer to Marie L. F. Stewart.

Together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

RECEIVED FOR TRANSFER
State Department of
Instruments & Taxation

**AGRICULTURAL TRANSFER TAX
NOT APPLICABLE**

SIGNATURE af DATE 4-9-93

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

MICROFILMED

174-9-23

350



LIBER 9701 PAGE 753

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE: 838-3900

RESIDENCE: 771-4592

0.500 ACRE PARCEL
ADDITION TO LOT NO. 3 OF PLAT E.H.K.JR. 36/9
PART OF PROPERTY OF
MARIE L. F. STEWART

May 6, 1992

Beginning for the same at a concrete monument, heretofore set, in the third or N 84° 37' 25" W 493.38' line of the land which was recorded among the Land Records of Baltimore County in Liber O.T.G. 5163, folio 502, was conveyed by Jerald David Mazer to Marie L. F. Stewart, at a distance of 237.05' from the end of said line, said concrete monument being also the northeasternmost corner of Lot No. 3 as shown on the Plat entitled "Subdivision of Nos. 14309 and 14311 Phoenix Road" and recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr. 36, folio 9, running thence and binding reversely on part of said third line S 84° 37' 25" E 43.80', thence leaving said third line and running for lines of division now made through the land of the grantor, the 3 following courses and distances, as now surveyed, 1) S 10° 53' 50" E 287.87', 2) N 78° 28' 20" W 71.41', and 3) S 68° 19' 54" W 48.75' to intersect the easternmost outline of the aforesaid Lot no. 3, running thence and binding on part of the easternmost outline of Lot No. 3, N 3° 23' 48" E 291.03' to the place of beginning.

Containing 0.500 acres of land more or less as shown on the plat attached hereto and made a part hereof.

Being part of the land recorded among the Land Records of Baltimore County in Liber O.T.G. 5163, folio 502, was conveyed by Jerald David Mazer to Marie L. F. Stewart.

CK # 241
7000
PB 5-11-92

PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME

ADDRESS

Gayle Parker

DEPRM

Bruce Seely

DEPRM

Bob Bowling

PDM

Dave Lykes

DEPRM

Kate MILTON

PDM - Zoning

Wallace Lippincott

DEPRM

Ron Goodwin

PDM - Bureau of Land Acq

Ervin McDaniel

Planning

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

HELEN MERRITT

2135 Highland Ridge Dr.

DAVID KAUFMAN

2139 Highland Ridge Dr.

Otis E. Mace

2011 Stockton Rd, Phoenix

JOYCE LAMMLEIN

14315 Phoenix Rd



MICROFILMED

DEED 12 09 1970 3

Ref No 2

This Deed, MADE THIS 17th day of June

in the year one thousand nine hundred and eighty-six

by and between

MARIE L.F. STEWART

of Baltimore County, State of Maryland,

Party

of the first part, and

ALVIN R. CARPENTER AND MARILYN R. CARPENTER, HIS WIFE,

Parties

of the second part.

WITNESSETH, That in consideration of the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00) and other good and valuable considerations, the receipt of which is hereby acknowledged,

the said Party of the First Part,

do es grant and convey to the said Parties of the Second Part, as tenants by the entireties, their assigns, the survivor of them and the survivor's

personal representatives ~~successors~~ and assigns

, in fee simple, all

that lot of ground situate in Baltimore County, State of Maryland

and described as follows, that is to say:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

B RC F 15.00
B T TX 75.00
B DOCS 75.00
DEED 0
EHK JR T 165.00
H20187 0004 R01 Y09:1
07/16/E

STATE OF MARYLAND
DEPARTMENT OF REVENUE

KRP 6/26/86

AGRICULTURAL TRANSFER TAX

AMOUNT \$1600.00

SIGNATURE *Bua* DATE 6/26/86

C 179*****24000^a 824aA

MICROFILMED

All that piece or parcel of land siting, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a pipe heretofore set at the beginning of the eighth arc North 82 degrees 22 minutes 10 seconds East 285.96 foot line of a parcel of land which by a deed dated January 1971 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5163 folio 502 was conveyed by Jerald David Mazer to Marie E. P. Stewart and running thence with and binding on said eighteenth line and on a part of the nineteenth line of said parcel of land and binding on the outlines of the Acreated Plot 3 of The Highlands of Fort Valley which plot is recorded among the Plat Records of Baltimore County in Plat Book E.H.E.R. No. 39 folio 78, the two following courses and dist. was viz: North 82 degrees 22 minutes 10 seconds East 285.96 feet to a pipe heretofore set and North 3 degrees 31 minutes 46 seconds West 192.57 feet and thence leaving said outlines and running for a line of division, Southwesterly by a line curving toward the left having a radius of 350 feet for an arc distance of 353.77 feet (the chord of said arc bearing South 53 degrees 47 minutes 10 seconds West 336.91 feet) to the place of beginning.

Containing 0.762 of an Acre of land more or less.

BEING a part of the same lot of ground which by Deed dated January 22, 1971 and recorded among the Land Records of Baltimore County in Liber OTG No. 5163, folio 502, which was granted and conveyed by Jerald David Mazer, unto the Grantor herein.

CLERK'S NOTATION

Document submitted for record in
a condition not permitting satis-
factory photographic reproduction.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND To HOLD the said described lot of ground and premises to the said

Parties of the Second Part, as tenants by the entireties, their assigns, the survivor of them and the survivor's

personal representatives/~~successors~~


and assigns, in fee simple.

AND the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said grantor

Test:




Marie L.F. Stewart (SEAL)

(SEAL)

STATE OF MARYLAND, Harford County, to wit:

I HEREBY CERTIFY, That on this 17th day of June in the year one thousand nine hundred and eighty-six the subscriber, a Notary Public of the State aforesaid, personally appeared

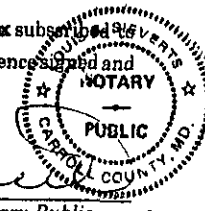
Marie L.F. Stewart

known to me (or satisfactorily proven) to be the person whose name is/are subscribed and signed and the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal



Notary Public



My Commission expires:

July 1, 1986

THE SENTINEL TITLE CORPORATION, BEL AIR
Maryland National Bank Building
307 South Tollgate Road
Bel Air, MD. 21034

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

LIBER 8688 PAGE 757

This Deed, MADE THIS 28th day of December

in the year one thousand nine hundred and ninety

by and between

✓ ALVIN R. CARPENTER and MARILYN R. CARPENTER, Husband and Wife, parties

XXXX

of the first part, and

✓ DAVID J. KAUFMAN and ROSEMARIE KAUFMAN, his wife, parties

of the second part.

WITNESSETH, That in consideration of the sum of Three Hundred Twenty Thousand and 00/100 (\$320,000.00) Dollars, and other good and valuable considerations, the receipt of which is hereby acknowledged;

the said Alvin R. Carpenter and Marilyn R. Carpenter, Husband and Wife

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE JK DATE 1-8-91

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

JK 1-8-91

do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's

C RC/F 20.00
C T TX 1450.00
C DOCS 1600.00

personal representatives, successors and assigns

DEED 01
in fee simple, SHI CLERK 3070.00
#15162 0001 R02 T09:26
01/08/91

that lot of ground situate in Baltimore County, Maryland

and described as follows, that is to say: BEING KNOWN AND DESIGNATED as Lot No. 38 on the Plat entitled, "PLAT 3, THE HIGHLANDS OF HUNT VALLEY", which said Plat is recorded among the Plat Records of Baltimore County in Plat Book E.H.K., Jr. No. 38, Folio 112. The improvements thereon being known as No. 2139 Highland Ridge Drive, and as shown on the Plat entitled, "Amended Plat 3 The Highlands of Hunt Valley", which said Plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. No. 39, Folio 78.

BEING the same premises, which Forbes and Lewis Co., Inc., a body Corporate, by Deed dated June 7, 1985 and recorded in Baltimore County, Maryland, in Deed Book Volume 6937, Page 556&c., granted and conveyed unto Alvin R. Carpenter and Marilyn R. Carpenter, Husband and Wife, in fee.

PARCEL TWO:

ALL THAT PLACE OR PARCEL of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows, to-wit: BEGINNING for the same at a pipe heretofore set at the beginning of the eighteenth or North 82 degrees 22 minutes 10 seconds East 285.98 foot line of a parcel of land which by a deed dated January 1971 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5163, Folio 502 was conveyed by Jerald David Mazer to Marie L.F. Stewart and running thence with and binding on said eighteenth line and on a part of the nineteenth line of said parcel of land and binding on the outlines of the Amended Plat 3 of The Highlands of Hunt Valley which Plat is recorded among the Plat Records of Baltimore County in Plat Book E.H.K., Jr. No. 39, Folio 78, the two following courses and distances viz: North 82 degrees 22 minutes 10 seconds East 285.98 feet to a pipe heretofore set and North 3 degrees 31 minutes 48 seconds West 162.57 feet and thence leaving said outlines and running for a line of division, Southwesterly by a line curving toward the left having a radius of 350 feet for an arc distance of 353.77 feet (the chord of said arc bearing South 53 degrees 47 minutes 10 seconds West 338.91 feet) to the place of beginning.

MICROFILMED

Containing 0.762 of an acre of land, more or less.

BEING the same property which by Deed dated June 17, 1986 and recorded among the Land Records of Baltimore County in Liber ENK, Jr. No. 7209, folio 703, was granted and conveyed from Marie L.F. Stewart unto Alvin B. Carpenter and Marilyn R. Carpenter, his wife.

AFFIDAVIT OF PURCHASER REGARDING
EXEMPTION FROM STATE TRANSFER TAX

After being duly sworn, the undersigned Purchaser(s) depose and say the following under oath pursuant to MD. TAX PROP.CODE ANN. SS13-203 (1987 Sup.), as amended by 1988 MD. Laws 197:

1. The undersigned is/are the Grantee(s) of real property located at:

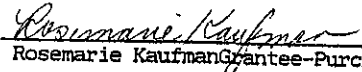
Address: 2139 Highland Ridge Drive
Phoenix, Maryland 21131

being more particularly described as Lot/Unit 38 & 0.762 ACRE, Block ,
Subdivision/Condominium THE HIGHLANDS OF HUNT VALLEY, Baltimore County, Maryland.

2. Said real property is improved by a residence which the undersigned Grantee(s) will occupy.

3. This affidavit is being executed in order to obtain an exemption from the Maryland State Transfer Tax on the first \$30,000 of consideration payable for an instrument of writing for residentially improved owner-occupied real property pursuant to the aforesaid statute.


David J. Kaufman Grantee-Purchaser


Rosemarie Kaufman Grantee-Purchaser

Subscribed and sworn to before me this 28th day of December, 1990.


Nancy Francis
Notary Public

My Commission Expires: Sept. 1, 1992

NANCY FRANCIS
NOTARY PUBLIC
BALTO. COUNTY, MD

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND To HOLD the said described lot of ground and premises to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's

personal representatives/~~SUCCESSORS~~ and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hand s and seal s of said grantor s

Test:

Rosemary Thigpen

Alvin R. Carpenter (SEAL)
Alvin R. Carpenter

Marilyn R. Carpenter (SEAL)
Marilyn R. Carpenter

Florida
STATE OF MARYLAND, County of Queen, to wit:

I HEREBY CERTIFY, That on this 13th day of September, before me, in the year one thousand nine hundred and Eighty - Eight, the subscriber, a Notary Public of the State aforesaid, personally appeared ALVIN R. CARPENTER and MARILYN R. CARPENTER, Husband and Wife

known to me (or satisfactorily proven) to be the person s whose names ~~is~~ are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Loretta D. Abernethy
Notary Public

My Commission expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. NOV. 4, 1991
BONDED THRU GENERAL INS. UND.

American Residential Title
1407 York Rd # 308
Lutherville, Md 21093

Net No 4

This Deed, Made This 8th day of April, in the year one thousand nine hundred and ninety three, by and between Marie L. F. Stewart of the first part, and Joyce A. Lammlein and Marla J. Hollandsworth, as joint tenants, of the second part.

WITNESSETH, That in consideration of the sum of Seven Thousand Dollars (\$7,000.00) Marie L. F. Stewart does grant and convey to Joyce A. Lammlein and Marla J. Hollandsworth, as joint tenants, and their personal representatives/successors and assigns, in fee simple, all the piece of land, one-half acre more or less, which lies adjacent to property known as 14315 Phoenix Road and described as follows:

Beginning for the same at concrete monument, heretofore set, in the third or N 84° 37' 25" W 493.38' line of the land which was recorded among the Land Records of Baltimore County in Liber O.T.G. 5163, folio 502, was conveyed by Jerald David Mazer to Marie L. F. Stewart, at a distance of 237.05' from the end of said line, said concrete monument being also the northeasternmost corner of Lot No. 3 as shown on the Plat entitled "Subdivision of Nos. 14309 and 14311 Phoenix Road" and recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr. 36, folio 9, running thence and binding reversely on part of said third line S 84° 37' 25" E 43.80', thence leaving said third line and running for lines of division now made through the land of grantor, the 3 following courses and distances, as now surveyed, 1) S 10° 53' 50" E 287.87', 2) N 78° 28' 20" W 71.41', and 3) S 68° 19' 54" W 48.75' to intersect the easternmost outline of the aforesaid Lot No. 3, running thence and binding on part of the easternmost outline of Lot No. 3, N 3° 23' 48" E 291.03' to the place of the beginning.

Containing 0.500 acres of land more or less as shown on the plat attached hereto and made a part hereof.

Being part of the land recorded among the Land Records of Baltimore County in Liber O.T.G. 5163, folio 502, was conveyed by Jerald David Mazer to Marie L. F. Stewart.

Together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE *AF* DATE *4-9-93*
per R. Muller

MICROFILMED

TO HAVE AND TO HOLD the described lot of ground to Joyce A. Lammlein and Marla J. Hollandsworth, their personal representatives/successors and assigns, as joint tenants, in fee simple.

And Marie L. F. Stewart hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that Marie L. F. Stewart will warrant specially the property hereby granted; and that Marie L. F. Stewart will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said grantor

Test:

Shirley M. Ingers

Marie L. F. Stewart (Seal)

State of Maryland, Baltimore County, to wit:

I HEREBY CERTIFY, That on this 8th day of April in year one thousand nine hundred and ninety three, before me, the subscriber, a notary public of the State of Maryland, personally appeared Marie L. F. Stewart, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Shirley M. Ingers

Notary Public

My Commission expires:

March 1, 1995



E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
 205 COURTLAND AVENUE
 TOWSON, MARYLAND 21204

OFFICE: 525-3908

0.500 ACRE PARCEL

RESIDENCE: 771-4592

ADDITION TO LOT NO.3 OF PLAT E.H.K.JR. 36/9
 PART OF PROPERTY OF
 MARIE L. F. STEWART

May 6, 1992

Beginning for the same at a concrete monument, heretofore set, in the third or N 84° 37' 25" W 493.38' line of the land which was recorded among the Land Records of Baltimore County in Liber O.T.G. 5163, folio 502, was conveyed by Jerald David Mazer to Marie L. F. Stewart, at a distance of 237.05' from the end of said line, said concrete monument being also the northeasternmost corner of Lot No.3 as shown on the Plat entitled "Subdivision of Nos. 14309 and 14311 Phoenix Road" and recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr. 36, folio 9, running thence and binding reversely on part of said third line S 84° 37' 25" E 43.80', thence leaving said third line and running for lines of division now made through the land of the grantor, the 3 following courses and distances, as now surveyed, 1) S 10° 53' 50" E 287.87', 2) N 78° 28' 20" W 71.41', and 3) S 68° 19' 54" W 48.75' to intersect the easternmost outline of the aforesaid Lot no.3, running thence and binding on part of the easternmost outline of Lot No.3, N 3° 23' 48" E 291.03' to the place of beginning.

Containing 0.500 acres of land more or less as shown on the plat attached hereto and made a part hereof.

Being part of the land recorded among the Land Records of Baltimore County in Liber O.T.G. 5163, folio 502, was conveyed by Jerald David Mazer to Marie L. F. Stewart.

004281 APR-89

LIB9701 PAGE 54

Baltimore County, Maryland Land Instrument Intake Sheet

(Type or print in black ink only—all copies must be legible)

In compliance with Baltimore County Code, 1978, Title 33, Taxation, Article III, §§33-126 through 33-140, as amended, and the Annotated Code of Maryland, Tax-Property Article, §12-101 through 12-113, as amended, and Tax-Property Article, §13-101 through 13-408, as amended, it is certified that an instrument of writing dated _____ conveying title to, or creating liens or encumbrances upon, real or personal property is offered for record in the County. The property conveyed, or on which a lien or encumbrance is created, is identified as follows:

Description of Property (Check box(es) for item(s) to be indexed in land records)	<input checked="" type="checkbox"/> Property Tax ID No.	<input type="checkbox"/> Lot/Block	<input type="checkbox"/> Map/Grd/Parcel No.
	16-00-002466		33/19/262
	<input type="checkbox"/> Subdivision/Tract	<input type="checkbox"/> Lot Acreage	<input type="checkbox"/> Prior Deed Ref.
		.54-	5163/352
<input checked="" type="checkbox"/> Street Address (or description if partial conveyance) Phoenix Rd			

Transferred From	Grantor(s) (<input type="checkbox"/> check box if additional sheets are attached) MARIE L. F. STEWART
	Owner of record (if different from grantor)

Transferred To	Grantee(s) (<input type="checkbox"/> check box if additional sheets are attached) Joyce A. Hamilton and Maria J. Hammond

Type of Instrument	<input checked="" type="checkbox"/> Deed	<input type="checkbox"/> Assignment of Mtg/DOT	<input type="checkbox"/> Financing Statement
	<input type="checkbox"/> Deed of Trust	<input type="checkbox"/> Contract	<input type="checkbox"/> Other (Specify) _____
	<input type="checkbox"/> Mortgage	<input type="checkbox"/> Land Installment Cont.	
	<input type="checkbox"/> Lease	<input type="checkbox"/> Power of Attorney	

Exemptions (Cite authority or explain briefly)	Baltimore County Exempt Status Claimed:	CAUTIONED TO HOUSING
	Recordation Tax Exempt Status Claimed:	RD PUBLIC USE FOR DE
	State Exempt Status Claimed:	MULLIN - USE COFFE 206

Consideration and Tax Calculations Make check payable to Baltimore County, MD (410) 887-2416	Consideration Amount		County Taxes to be Paid
	Purchase Price/Consideration (including any new mortgage)	\$	Transfer Tax Consideration
	Real Property		\$ 7,000 - x 1.6% = \$ 112.00
	Personal Property		
	Balance of Assumed Mortgage		Office of Finance Use Only
	Other		Agent: <u>BR</u> Tax Bill: <u>PR</u>
Total Consideration or Assessed Factor	\$ 7,000 -	G.B. Credit: _____ Ag. Tax/Other: _____	

Fees and Recording Instructions Make check payable to Clerk of the Circuit Court (410) 887-2650	Recording Fees		Special Recording Instructions (if any)
	Recording Charges	\$	
	State Transfer Tax		
	County Recordation Tax		
	Surcharge		
	Other		
Total	\$		

Contact/Mailing Information	Instrument Prepared By	Return Instrument To	Mailing Address for Tax Bill
	Name: MARIA HOLLANDSWORTH	Name: Same as Prepared	Name: MARIA HOLLANDSWORTH
	Firm:		
	Address: 14315 Phoenix Rd Phoenix, Md. 21131 Phone: 271-4393	Address:	Address: 14315 Phoenix Rd Phoenix, Md. 21131

Certification	I hereby certify under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.
	Signature: _____ Date: 4/8/93

Assessment Information (410) 321-2299 AD10076TL TRX C003-57H04-08-93	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER
	Will grantee be living at property conveyed?
	Is grantor currently receiving a homeowners' tax credit?
	Is property conveyed subject to agricultural transfer tax? If yes, enter amount:
	If agricultural assessment on conveyance is to continue, have you attached a letter of intent?
	Partial conveyance? If yes, amount of acreage transferred: SAC +/-
	List improvements conveyed:
	If subdivision occurred after July 1, indicate former property tax ID number:

Optional Expediting Information	A delay in processing may be incurred if a conveyance deed is not accompanied by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time.
	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage:
Complete description of property conveyed (subdivision, lot, block, section, plat ref., acreage):	

Location and improvement address:	Assessment Use Only - Do Not Write Below This Line
<input type="checkbox"/> Terminal Verification	<input type="checkbox"/> Deed Plotter
<input type="checkbox"/> Agricultural Verification	<input type="checkbox"/> Deed Reference
<input type="checkbox"/> Trans. Process Verification	<input type="checkbox"/> Assigned Property No
<input type="checkbox"/> Whole <input type="checkbox"/> Decd. <input type="checkbox"/> Part	

Continuation Sheet: Petition for Special Hearing

1d/5A

Property Location:

We are owners of a portion of the property which is the subject of the above-referenced Special Hearing, Case No. 96-346-SPH

Joyce Lammlein

Maria Hollandsworth

Address

14315 PHOENIX RD

City, State, Zipcode

PHOENIX MD 21131

Telephone Number

410 771-4393

MARLA

MICROFILMED

Continuation Sheet: Petition for Special Hearing

Property Location:

let
5B

We are owners of a portion of the property which is the subject of the above-referenced Special Hearing, Case No. 96-346-SPH

David Kaufman
David Kaufman

Rosemarie Kaufman
Rosemarie Kaufman

2139 Highland Ridge Drive
Address

Phoenix, Md 21131
City, State, Zipcode

(410) 785-2338
Telephone Number

MICROFILMED

need be adjusted so that each lot will show a single well. This error will be corrected by the developer. The other County agencies present indicated that there were no open issues.

On behalf of the community, Mr. Kaufman and Ms. Merritt, adjoining neighbors, both raised certain issues regarding the construction of Stewarts Glen Drive. They were particularly concerned about the storm water management system which would be installed in the bed of the road. Questions were also raised by these neighbors as to offsite landscaping which the developer had agreed to offsite.

As to the roadway, same will be extended and will be in accordance with County specifications. The road will contain curbs and also storm drain inlets. Storm water collected from the road and developed areas of the subject property will be conveyed to a suitable outfall and discharged to a stream within the interior of the site. The storm water management proposal, although schematic at this stage of development, appears appropriate. The County law requires that adjoining properties cannot be adversely affected by development, and the storm water management proposal appears to ensure that storm water runoff from the site will not be increased and adjoining properties protected.

As to landscaping, the developer has apparently entered into negotiations with the Merritts and the Kaufmans regarding the installation of landscaping on their properties immediately adjacent to Stewarts Glen Drive. Mr. and Mrs. Merritt live to the north of that road and Mr. and Mrs. Kauffman to the south. In view of the extension of the road and the modest increase in traffic, the developer has agreed to install suitable landscaping so as to buffer this increased activity. Such an agreement will be incorporated as a restriction within this Order.

ORDER RECEIVED FOR FILING

Date

By

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Geoffrey C. Schatz
Guy C. Ward
Marie F. Howard
Howard L. Alderman Jr
Thomas L. Pittman, Jr

5 SHAWAN RD. 21030
5 SHAWAN RD H.V. MD 21030
14309 Phoenix Rd, 21131
305 W Chesapeake Ave 21204
15722 Irish Ave Markers 21111



IN RE: DEV. PLAN HEARING & PETITION FOR SPECIAL HEARING
End of Stewarts Glen Drive, W of Highland Ridge
The Stewart property
6th Councilmanic District
Marie Stewart, Applicant/
Petitioner

* BEFORE THE HEARING OFFICER/
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. X-332 & 96-346-SPH
Petitioner

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer as a combined hearing, for the project known as the development of the Stewart property located near Phoenix and Highland Ridge Roads in northern Baltimore County. The combined zoning/development hearing is authorized by Section 26-206.1 of the Baltimore County Code. The property owner seeks approval of a development plan (Developer's Exhibit No. 1), which provides for development of the subject property with 8 single family dwelling lots. Moreover, a Petition for Special Hearing has been filed in case No. 96-346-SPH requesting confirmation that the prior conveyances of Parcels A and B were non-density transfers and affirmation that the original R.C.4 density for the tract permits 9 lots. A plat to accompany the Petition for Special Hearing, identical to the development plan, was submitted as Petitioner's Exhibit No. 1.

As to the history of the project's review through the development process, a concept plan was submitted for this project on November 6, 1995. A Community Input Meeting, as required by the Code, was conducted on December 13, 1995 at the Jackson Elementary School in Phoenix, Maryland. A development plan was submitted and a conference was held thereon on April 3, 1996. The combined Hearing Officer's hearing and the Petition for Special Hearing was conducted in its entirety on April 25, 1996.

Appearing at the requisite Hearing Officer's hearing on behalf of the Petitioner/Applicant was Marie L.F. Stewart, property owner. Also appear-

ing in support of the Petition was Guy C. Ward and Geoffrey C. Schultz from McKee & Associates, the engineers who prepared the plan. Thomas L. Pittman, Jr., developer, also appeared, as did Howard L. Alderman, Jr., Esquire. Appearing as interested persons were Helen Merritt, David Kaufman, Otis E. Mace and Joyce Lamlein, neighboring property owners.

Appearing on behalf of the various Baltimore County agencies which evaluated the project were Don Roscoe, the Project Manager, Kate Milton Bob Bowling and Ron Goodwin from the Office of Permits and Development Management (PDM), Ervin McDaniel from the Office of Planning (OP), and R. Bruce Seeley, David Lykens, Wally Lippincott, and Gayle Parker from the Department of Environmental Protection and Resource Management (DEPRM).

Considering first the development plan, the developer submitted a red line plan at the hearing which fully depicts the site and proposed development. The red line amendments shown on the plan were added to address County agency's development plan comments. The plan shows that the overall tract is approximately 45.252 acres in area, zoned R.C.5. The parcel is located in northern Baltimore County in a rural residential area. Presently, the site is improved with an existing dwelling and stables. The balance of the site contains a stream, wetlands, a pond, steep slopes and is largely wooded. The developer proposes subdividing the site so as to create 8 single family dwelling lots. The lots will all be approximately 1 acre or larger in area and are clustered on the eastern side of the site. Vehicular access to the lots will be by way of an extension of Stewarts Glen Drive, which intersects Highland Ridge Drive nearby.

Pursuant to Section 26-206, the Hearing Officer is first required to identify any open issues and unresolved agency comments at the Hearing Officer's hearing. In this regard, Mr. Alderman, on behalf of the developer, proffered that there were no outstanding issues or comments. That is,

- 2 -

the developer believes that the red line plan, as submitted, is in compliance with all County rules, regulations and policies relating to development. He did make several comments, however, regarding the plan. Specifically, in view of the fact that the property is zoned R.C.4, which permits a clustering of the subdivision, Mr. Alderman noted that there made be minor realignment of the internal lot lines at a later date. The red line plan shows an altered configuration of these lot lines from the initial plan which was submitted. Any future adjustment will apparently be minor and will relate only to internal lot lines and not impact offsite property.

Mr. Alderman also noted, and requested that same be made part of the record of this case, that there would be no connection between the extension of Stewarts Glen Drive and Phoenix Road to the west. That is, Stewarts Glen Drive will be extended into the interior of the site so as to provide vehicular access to the proposed single family dwelling lots. However, the road will terminate at a cul-de-sac and thru traffic will not be allowed.

Mr. Alderman also observed that certain covenants, similar to those covenants on record for the nearby subdivision (Highlands at Hunt Valley) would be recorded for this subdivision. Lastly, he discussed the street lights which will be installed for the community. The existing street light at the intersection of Highland Ridge Drive and Stewarts Glen Drive will be retained and two additional lights will be added along the extension of Stewarts Glen Drive. These lights are all shown on the plan.

As to the agency representatives present, Mr. Seeley, from DEPRM, identified a minor issue. Specifically, he indicated that the adjustment of the lot lines on the red line plan had resulted in the placement of two wells on a single lot and no wells on an adjacent lot. The well locations

- 3 -

need be adjusted so that each lot will show a single well. This error will be corrected by the developer. The other County agencies present indicated that there were no open issues.

On behalf of the community, Mr. Kaufman and Ms. Merritt, adjoining neighbors, both raised certain issues regarding the construction of Stewarts Glen Drive. They were particularly concerned about the storm water management system which would be installed in the bed of the road. Questions were also raised by these neighbors as to offsite landscaping which the developer had agreed to offsite.

As to the roadway, same will be extended and will be in accordance with County specifications. The road will contain curbs and also storm drain inlets. Storm water collected from the road and developed areas of the subject property will be conveyed to a suitable outfall and discharged to a stream within the interior of the site. The storm water management proposal, although schematic at this stage of development, appears appropriate. The County law requires that adjoining properties cannot be adversely affected by development, and the storm water management proposal appears to ensure that storm water runoff from the site will not be increased and adjoining properties protected.

As to landscaping, the developer has apparently entered into negotiations with the Merritts and the Kaufmans regarding the installation of landscaping on their properties immediately adjacent to Stewarts Glen Drive. Mr. and Mrs. Merritt live to the north of that road and Mr. and Mrs. Kaufman to the south. In view of the extension of the road and the modest increase in traffic, the developer has agreed to install suitable landscaping so as to buffer this increased activity. Such an agreement will be incorporated as a restriction within this Order.

- 4 -

As to the zoning case, the relief sought ties in with the proposed development. In this regard, Mr. Alderman indicated that two parcels from the original tract owned by Mrs. Stewart had been previously conveyed. Parcel A, which is .762 acres, was conveyed to the Kaufmans' predecessor in title in 1986 and ultimately acquired by Mr. and Mrs. Kaufman when they purchased their property. Parcel A is shown on the development plan as a cross hatched lot adjacent to the southeast portion of the site. The second parcel, designated as parcel B of .50 acres, was conveyed by Mrs. Stewart to Maria Hollinsworth and Joyce Lamlein on or about April 8, 1993. Her parcel is also identified by a cross hatch section on the plan.

An amendment to the Petition was offered at the hearing, adding the present property owners (i.e., Mr. and Mrs. Kaufman, Ms. Hollinsworth and Ms. Lamlein) as Petitioners. Moreover, uncontradicted testimony and evidence presented was persuasive that these prior conveyances were undertaken solely as lot line adjustments and not to impact the density of the Stewart tract. That is, Ms. Stewart made these out conveyances at the request of offsite property owners to provide them with larger yard areas. Although the conveyances were clearly done for that purpose, the acreage involved must be computed in determining the entire R.C.4 tract at issue and in determining the 70% conservancy area required by law. In my judgment, it is clear that the Petition for Special Hearing should be granted and I find that a granting of the Petition will not, in any manner, adversely affect the health, safety and general welfare of the locale.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the development plan consistent with the comments set forth above and shall so order.

- 5 -

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 29th day of April 1996, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is hereby APPROVED in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval for prior conveyances of Parcels A and B were non-density transfers and affirmation that the original R.C.4 density for the tract permits 9 lots, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Developer/Petitioner shall install suitable landscaping on the north and south sides of Stewarts Glen Drive, on the properties owned by William T. and Helen Merritt, and David and Rose Marie Kaufman in order to screen/buffer those properties from the road.
2. Stewarts Glen Drive shall not be extended and connected with Phoenix Road but shall terminate as a cul-de-sac within the subject property, as shown on the plan.

IT IS FURTHER ORDERED that the Developer shall prepare and submit to Permits and Development Management (PDM), within 10 days from the date of this Order, a development plan which reflects and incorporates the terms, conditions, and restrictions, if any, of this opinion and Order and/or the development plan comments.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

- 6 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-1386

April 29, 1996

Howard L. Alderman, Jr., Esquire
Levin and Gann
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. X-332 and 96-346-SPH
Development Plan Order & Petition for Special Hearing
Project: Stewart Property
Applicant/property owner: Marie L.F. Stewart
Developer: Thomas L. Pittman

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order and Petition for Special Hearing have been approved.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

c: Thomas L. Pittman, Jr.
Ms. Marie L.F. Stewart
Geoffrey C. Schultz and Guy C. Ward, McKee and Assoc.
Mrs. Helen Merritt
Mr. David Kaufman
Mr. Otis E. Mace
Ms. Joyce Lamlein
c: Baltimore County Representatives



Petition for Special Hearing
to the Zoning Commissioner of Baltimore County

for the property located at 14309 Phoenix Road
which is presently zoned RC-4

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.2 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the prior conveyances of Parcels A and B as non-density transfers and to reaffirm the original RC-4 density for the property of 9 lots permitted.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:
Thomas L. Pittman, Jr.
15722 Irish Avenue
Monkton, Maryland 472-4184

Legal Owner:
Marie L. F. Stewart
14309 Phoenix Road
Phoenix, Maryland 21131

McKee & Associates, Inc.
305 West Pennsylvania Avenue
Towson, Maryland 21030 527-1555

ESTIMATED LENGTH OF HEARING
unavailable for hearing
ALL
REVIEWED BY: [Signature] DATE: 3/18/96
+ schedule w/ HCH

MCKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555
Facsimile: (410) 527-1563

March 13, 1996

ZONING DESCRIPTION
STEWART PROPERTY
14309 PHOENIX ROAD
TENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the south side of Stewarts Glen Drive (50 foot wide right-of-way), at a distance of 260 feet west of the centerline of Highland Ridge Drive; thence running by a curve to the left, having a radius of 350.00 feet, an arc length of 358.53 feet, and being subtended by a chord bearing and distance of South 51° 46' 08" West 338.73 feet; thence South 04° 14' 32" East 532.83 feet, South 10° 32' 03" East 190.69 feet, South 88° 17' 07" West 382.82 feet, North 39° 22' 23" West 321.11 feet, South 71° 26' 24" West 272.75 feet, South 27° 09' 40" East 55.91 feet, South 7° 09' 30" West 216.30 feet, North 13° 35' 22" West 92.34 feet, South 85° 41' 51" West 138.39 feet, South 72° 02' 16" West 297.12 feet, North 00° 26' 22" East 595.20 feet, South 68° 31' 26" West 305.23 feet, North 08° 11' 30" West 12.34 feet, North 68° 31' 26" East 307.92 feet, North 03° 14' 34" East 9.68 feet, North 68° 16' 25" East 48.32 feet, South 78° 35' 20" East 71.39 feet, North 10° 58' 52" West 287.65 feet, South 84° 39' 43" East 210.77 feet, North 53° 02' 50" East 609.34 feet, North 49° 52' 27" East 1,320.20 feet, South 09° 41' 56" West 781.10 feet, and South 03° 33' 07" East 438.94 feet to the place of beginning.

Containing 44.752 acres of land as recorded in deed Liber 5163, folio 502.



350

Description of Stewart Property
March 13, 1996
Page Two

96-346-SPH

Parcel A

Beginning at a point at the end of the first line of the previously described Stewart Property; thence running North 82° 22' 10" East 285.98 feet, North 03° 31' 48" West 162.57 feet, and by a curve to the left with a radius of 350.00 feet and an arc length of 358.53 feet to the place of beginning.

Containing 0.762 acres of land as recorded in deed Liber 7209, folio 703.

Parcel B

Beginning at a point located North 84° 39' 43" West 43.80 feet from the end of the 19th line of the previously described Stewart Property; thence running South 00° 23' 48" West 291.03 feet, North 68° 16' 25" East 48.32 feet, South 78° 35' 30" East 71.39 feet, North 10° 58' 52" West 287.65 feet, and North 84° 39' 43" West 43.80 feet to the place of beginning.

Containing 0.500 acres of land as recorded in deed Liber 9701, folio 751.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10th Date of Posting: 3-29-96
Posted for: CASE No. X-332 A 96-346 SPH
Petitioner: Stewart Property
Location of property: 14309 PHOENIX ROAD
Location of Sign: See Attached Site Plan
Remarks: Hunter Rowe Date of return: 3/28/96
Number of Signs: 2

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, on Thursday, April 25, 1996, at 11:00 a.m. in Room 106, County Office Building.

Case 96-346-SPH
(Item 350)
14309 Phoenix Road
S/S Stewarts Glen Drive, 260' W of c/l Highland Ridge Drive
10th Election District - 3rd Councilmanic
Legal Owner: Marie L.F. Stewart
Contract Purchaser: Thomas L. Pitman, Jr.

Special Hearing to approve the prior conveyances of Parcel A and B as non-density transfers and to reaffirm the original R.C.-4 density for the property of 9 lots permitted.
Hearing: Thursday, April 25, 1996 at 11:00 a.m. in Room 106, County Office Building.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible for special accommodations. Please call 887-3353.
(2) For information concerning the hearing, please call 887-3353.
3/27 March 28 040804

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/28, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/28, 1996.

THE JEFFERSONIAN,

A. Henderson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012100
96-346-SPH
DATE: 3/13/96 ACCOUNT: 01-615
From: Item 350 AMOUNT: \$ 285.00
By: 4476
RECEIVED: Stewart Property - 14309 Phoenix Road
FROM: 040 - Special Hearing - # 350
FOR: 280 - 1 Sign \$ 285.00
DISTRIBUTION: STREET CASHIER FIN. AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 350 Petitioner: Marie Stewart, Marie L.F.

Location: 14309 Phoenix Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: THOMAS L. PITMAN, JR.

ADDRESS: 15722 IRISH AVENUE

MONKTON, MD. 21111

PHONE NUMBER: 472-4184

TO: PUBLICATION PUBLISHING COMPANY
March 28, 1996 Issue - Jeffersonian

Please forward billing to:

Thomas L. Pitman, Jr.
15722 Irish Avenue
Monkton, MD 21111
472-4184

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204, on Thursday, April 25, 1996, at 11:00 a.m. in Room 106, County Office Building.

CASE NUMBER: 96-346-SPH (Item 350)

14309 Phoenix Road
S/S Stewarts Glen Drive, 260' W of c/l Highland Ridge Drive
10th Election District - 3rd Councilmanic
Legal Owner: Marie L.F. Stewart
Contract Purchaser: Thomas L. Pitman, Jr.

Special Hearing to approve the prior conveyances of Parcel A and B as non-density transfers and to reaffirm the original R.C.-4 density for the property of 9 lots permitted.

HEARING: THURSDAY, APRIL 25, 1996 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 25, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204, on Thursday, April 25, 1996, at 11:00 a.m. in Room 106, County Office Building.

DEVELOPMENT PLAN HEARING

Project Number: K-332
Project Name: Stewart Property
Location: End of Stewarts Glen Drive, W of Highland Ridge
Acreage: 44
Developer: Marie Stewart
Proposal: 8 single family dwellings

CASE NUMBER: 96-346-SPH (Item 350)

14309 Phoenix Road
S/S Stewarts Glen Drive, 260' W of c/l Highland Ridge Drive
10th Election District - 3rd Councilmanic
Legal Owner: Marie L.F. Stewart
Contract Purchaser: Thomas L. Pitman, Jr.

Special Hearing to approve the prior conveyances of Parcel A and B as non-density transfers and to reaffirm the original R.C.-4 density for the property of 9 lots permitted.

HEARING: THURSDAY, APRIL 25, 1996 at 11:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

CC: Marie L. F. Stewart
Thomas L. Pitman, Jr.
Howard Alderman, Esq.
McKee & Associates, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Printed with Soy-based Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 19, 1996

Mr. Howard Alderman, Esquire
Levin and Gann
305 West Pennsylvania Avenue
Towson, MD 21204

RE: Item No.: 350
Case No.: 96-346-SPH
Petitioner: Marie L. F. Stewart

Dear Mr. Alderman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soy-based Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 350 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
Date: April 1, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 1, 1996
Item Nos. 344, 346, 347, 348, 349, 350

The Development Plans Review Division has reviewed the subject zoning item, and we have no comment.

RWB:jrb
cc: File

ZONE4A

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-1880

DATE: 03/21/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: MARIE L.F. STEWART

Location: S/S STEWARTS GLEN DR. 260' W OF CENTERLINE HIGHLAND RIDGE DR.
(14309 PHOENIX RD.)

Item No.: 350 Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

PETITION PROBLEMS

#343 --- MJK

1. Need original signature for person signing for legal owner.
2. Need original signature for person signing for contract purchaser.

#344 --- JJS

1. No section numbers listed for variance on petition form.

#345 --- JRA

1. No review information completed on bottom of petition form.

#350 --- MJK

1. No telephone number for legal owner.

DEED - FEE SIMPLE - INDIVIDUAL GRANTEE - LONG FORM
DLH/303-93,023
OUT CONVEYANCE NO. II

This Deed, Made this 17th day of June
in the year one thousand nine hundred and eighty-six
by and between
MARIE L.F. STEWART

of Baltimore County, State of Maryland, Party of the first part, and
ALVIN R. CARPENTER AND MARILYN R. CARPENTER, HIS WIFE, Parties

of the second part.

WITNESSETH, That in consideration of the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00) and other good and valuable considerations, the receipt of which is hereby acknowledged,

the said Party of the First Part,

do es grant and convey to the said Parties of the Second Part, as tenants by the entireties, their assigns, the survivor of them and the survivor's

personal representatives and assigns, in fee simple, all
that lot of ground situate in Baltimore County, State of Maryland
and described as follows, that is to say:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

R NC F 15.00
R TX 75.00
R DUES 75.00
DEED 0
EAK JR T 125.00
H2073T C004 R01 T0921
07/15/96

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION
6/26/96
DATE

AGRICULTURAL TRANSFER TAX
AMOUNT \$1,600.00
SIGNATURE DATE

C 179*****240004 8244A

350

RE: DEVELOPMENT PLAN HEARING
PETITION FOR SPECIAL HEARING
Stewart Property - End of Stewarts Glen
Drive, W of Highland Ridge; Proposed 8
single family dwellings on 44 acres;
1404 Phoenix Road, S/S Stewarts Glen Dr,
260' W of c/l Highland Ridge Dr, 10th
Election District, 3rd Councilmanic

Legal Owner: Marie L.F. Stewart
Contract Purchaser: Thomas L. Pitman, Jr.
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 471, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Howard Alderman, Esquire, Levin and Gann, 305 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

PETER MAX ZIMMERMAN
PETER MAX ZIMMERMAN

Tim
I called Howard Alderman
this morning and indicated
that we need additional
signatures on the petition.
This is because Ms. Stewart
is no longer the owner of
parcels "A" and "B" (see sub
plans and Deeds 5388/48981
7209/703 dated 7/10/80 from
Stewart to Carpenter and 9701/751
dated 4/8/93 from Stewart to Joyce
A. Lammie and Howard Alderman (H.A. Alderman))

REAL ESTATE TITLE COMPANY,
INCORPORATED
Keynote Building
Baltimore, MD
LE 21096-9311

FOR SAMPLE DEED

OUT CONVEYANCE NO. I

This Deed, Made this 10th day of August

in the year one thousand nine hundred and seventy-three by and between

MARIE L. F. STEWART, of Baltimore County, in the State of Maryland, party of the first part, and DORIS H. NICOLETTE, of Baltimore County, in the State of Maryland, party of the second part.

MS 28-73 2407500 ***125.00
MS 28-73 2407500B ***45.00
MS 28-73 2407400C ***70.00
MS 28-73 2407400E ***95.00

WITNESSETH that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part

do es grant and convey unto the said party of the second part, her

personal representatives heirs and assigns, in fee simple, all those lots or parcels of ground, situate, lying and being in Baltimore County, State of Maryland, and described as follows, that is to say

BEGINNING for the first and being known as Lot No. 3, as shown on Plat entitled "Subdivision of Nos. 14309 and 14311 Phoenix Road", which Plat is recorded among the Plat Records of Baltimore County in Plat Book EHK, Jr., No. 36 folio 9, together with the right and use thereof in common with others entitled thereto of an existing 20 footright of way shown on the aforesaid Plat recorded in Plat Book EHK, Jr., No. 36 folio 9, said 20 foot right of way extends from Lot No. 3 and adjacent land to the west thereof to Phoenix Road and is used as a means of access for said land.

BEING part of all that lot or parcel of ground described in a Deed from Gerald David Mazer to Marie L. F. Stewart, recorded among the Land Records of Baltimore County on February 4, 1971 in Liber OTD No. 3163 folio 502.

BEGINNING for the second at a point in the thirteenth or North 0 degrees 02 minutes West 330.25 foot line of a parcel of land which by a deed dated March 28, 1937 and recorded among the Land Records of Baltimore County in Liber GLB No. 3132 folio 26, was conveyed by Richard H. Cordell and wife to John L. Hyde and wife, said point being distant, as now surveyed, North 8 degrees 08 minutes 58 seconds West 20.57 feet measured along said thirteenth line from the beginning inhereof; and running thence with and binding on a part of said thirteenth line, North 8 degrees 08 minutes 58 seconds West 4.11 feet; thence leaving said outline and running for lines of division parallel with and distant 24 feet northwesterly measured at right angles from the twelfth and eleventh lines of said parcel of land the two following courses and distances viz: South 68 degrees 19 minutes 54 seconds West 222.60 feet and South 49 degrees 44 minutes 54 seconds West 318.37 feet to the northeast right of way line of Phoenix Road as proposed to be widened; thence binding on said right of way line, South 54 degrees 03 minutes 00 seconds East

210.00.00

Continuation Sheet: Petition for Special Hearing

Property Location:

We are owners of a portion of the property which is the subject of the above-referenced Special Hearing, Case No. 96-346-SPH

Joyce Lammien
Joyce Lammien

Maria Hollandsworth
Maria Hollandsworth

14315 PHOENIX RD
Address

PHOENIX MD 21131
City, State, Zipcode

410 271-4393
Telephone Number

Continuation Sheet: Petition for Special Hearing

Property Location:

We are owners of a portion of the property which is the subject of the above-referenced Special Hearing, Case No. 96-346-SPH

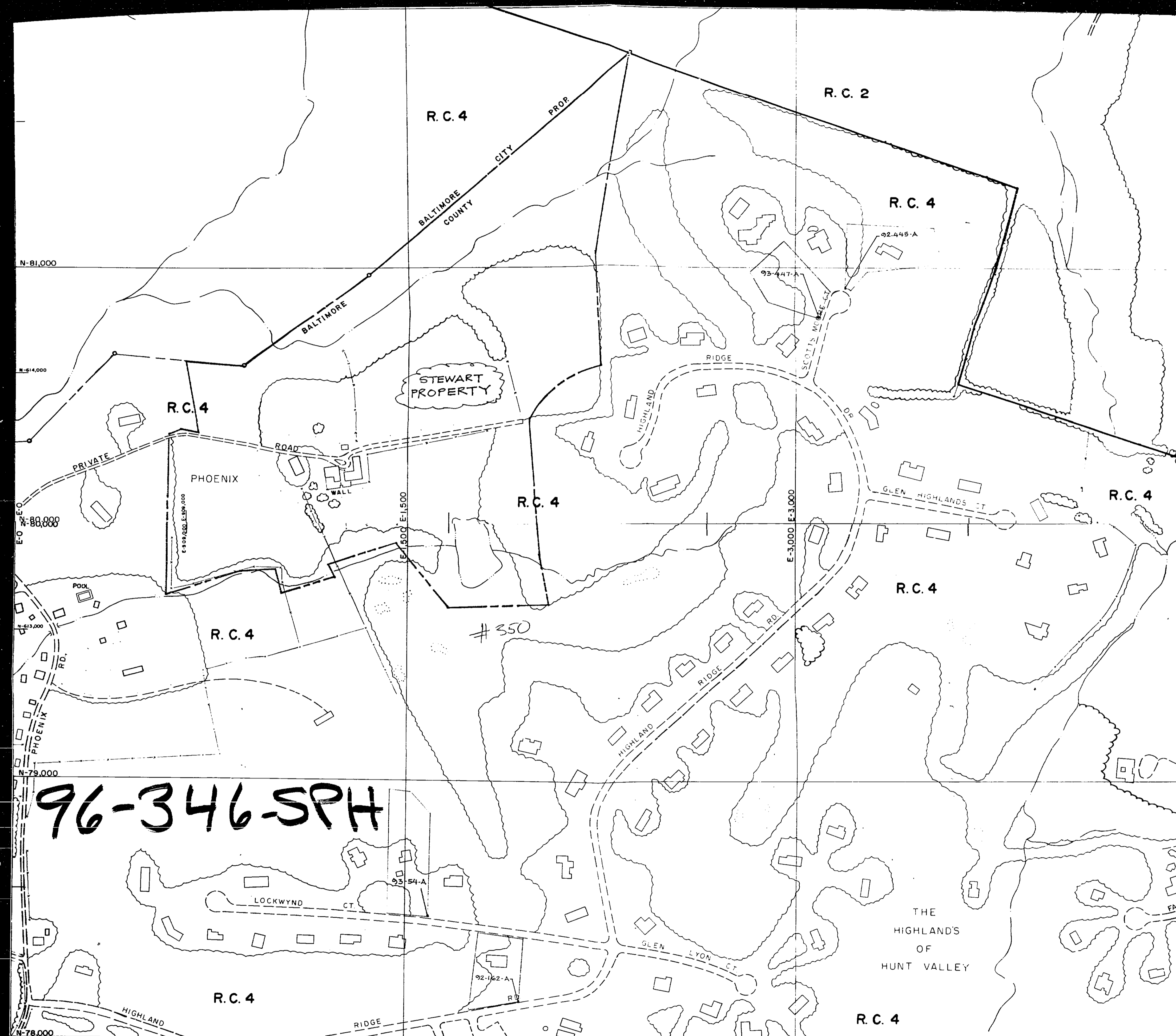
David Kaufman
David Kaufman

Rosemarie Kaufman
Rosemarie Kaufman

2139 Highland Ridge Drive
Address

PHOENIX MD 21131
City, State, Zipcode

(410) 715-2338
Telephone Number



LEGEND

EXISTING CONTOURS

SLOPES > 25 %

EXISTING STREAM

LIMIT OF WETLANDS

SOIL TYPES

FOREST BUFFER EASEMENT LINE
AND
FOREST CONSERVATION EASEMENT LINE

EXISTING WOODS LINE

HOUSE SITE

WELL AREA

PERC TEST

PROP. SEPTIC AREA

FOREST CONSERVATION DATA

A. Net Tract Area	44.8 Ac.
B. Forest Conservation Threshold (50% x A)	22.4 Ac.
C. Reforestation Threshold (20% x A)	8.9 Ac.
D. Existing Forest on Net Tract Area	21.1 Ac.
E. Existing Forest Above Forest Conservation Threshold	0.0 Ac.
F. Break-Even Point (the amount of forest to be retained for no mitigation).	0.0 Ac.
G. Forest to be cleared.	21.1 Ac.
H. Forest to be retained.	21.1 Ac.

SITE DATA

1. CENSUS TRACT: 4101
2. WATERSHED: 13
3. SUBWATERSHED: 81
4. SCHOOL DISTRICT: 14
5. COUNCILMANIC DISTRICT: 3
6. REGIONAL PLANNING DISTRICT: 305
7. EXISTING ZONING: R.C.-4
8. GROSS AREA: 44.752 AC.
9. TAX ACCOUNT NUMBER: 1600002466
10. DEED REFERENCE: 3163/502
11. TAX MAP 35 GRID 19 - PARCEL 262
12. HIGHWAY WIDENING: N/A

SOILS LIMITATION CHART

Map Symbol	Soil Series	Homesites Limitations	Septic Systems Limitations	Hydric K Value	Capability Unit
BaA	Baile	Severe slope	Severe slope	No	0.43 Vw-1
Cu	Codorus	Severe slope	Severe slope	No	0.46 Iw-7
MbC2	Manor	Moderate slope	Moderate slope	No	0.37 Iw-25
MbD2	Manor	Severe slope	Severe slope	No	0.37 Iw-25
McD2	Manor	Severe slope	Severe slope	No	0.37 Iw-25
MdE	Manor	Severe slope	Severe slope	No	0.37 Iw-25
MhE	Manor	Severe slope	Severe slope	No	0.32 Vw-3

R.C.-4 DATA

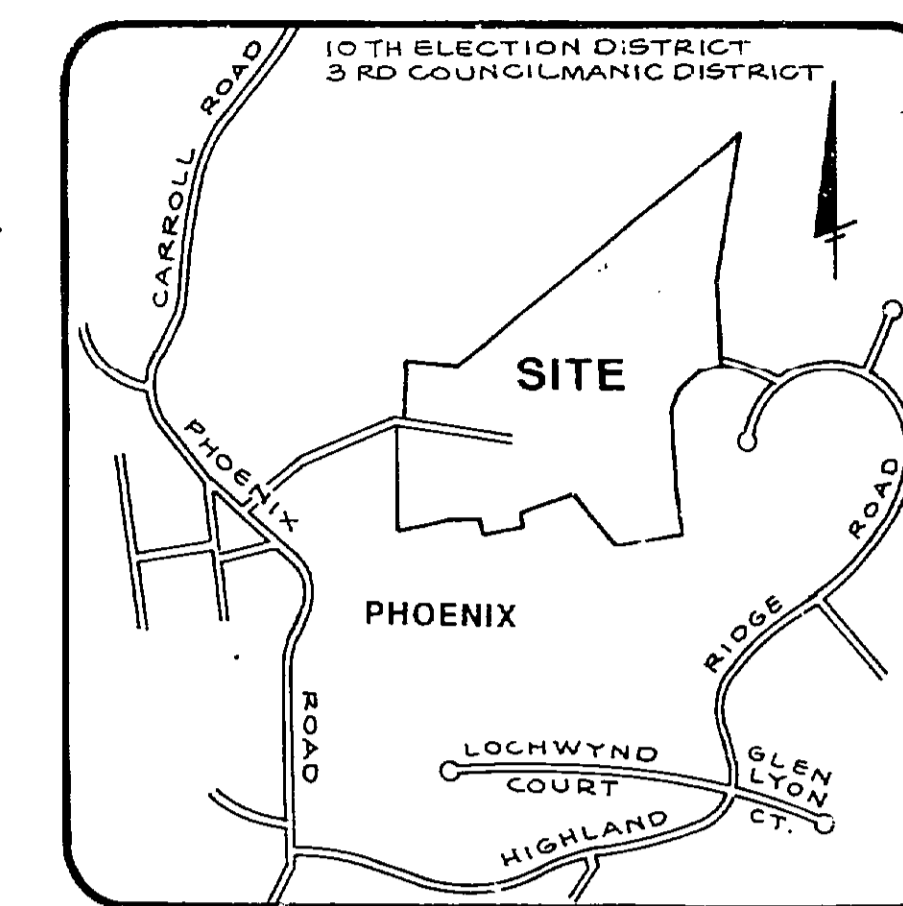
R.C.-4 ACREAGE = 44.752 AC. (GROSS AREA)
MINIMUM R.C.-4 CONSERVANCY AREA (AC x 70%) = 31.326 AC.
PROPOSED R.C.-4 CONSERVANCY AREA = 32.9 AC.
EXISTING LOTS = 1
PROPOSED LOTS = 9
REMAINING DENSITY = 0

APPLICANT / DEVELOPER

THOMAS L. PITTMAN, JR.
15722 IRISH AVENUE
MONKTON, MD 21111
(410) 472-4184

OWNER

MARIE STEWART
14309 PHOENIX ROAD
PHOENIX, MARYLAND 21131
DEED REF: 5163/502
TAX ACCT. NO. 1600002466



VICINITY MAP

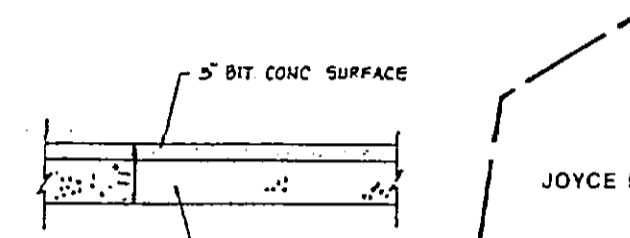
SCALE: 1" = 1000'

GENERAL NOTES

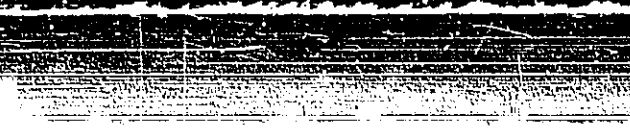
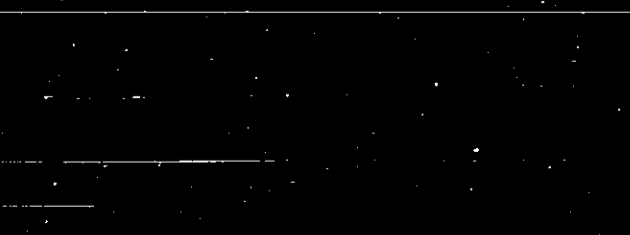
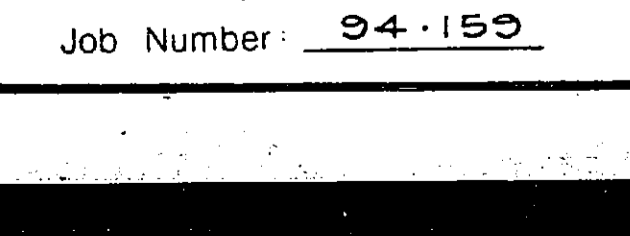
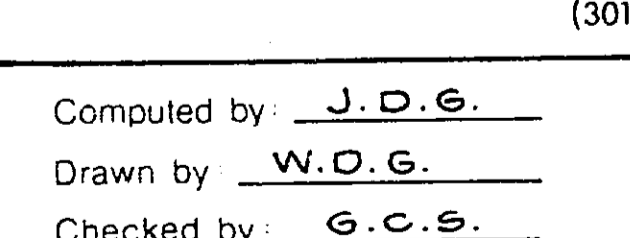
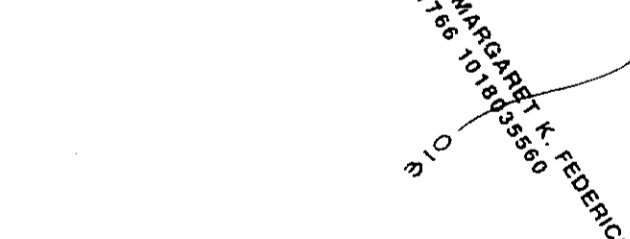
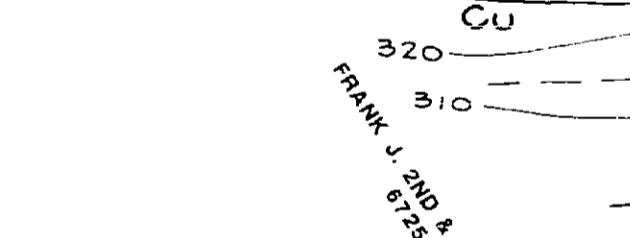
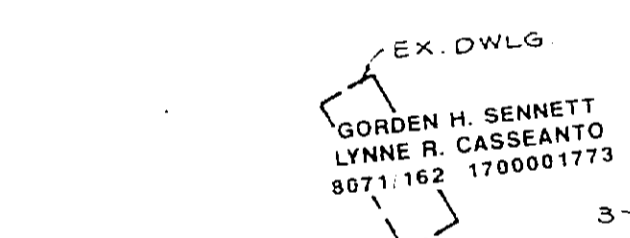
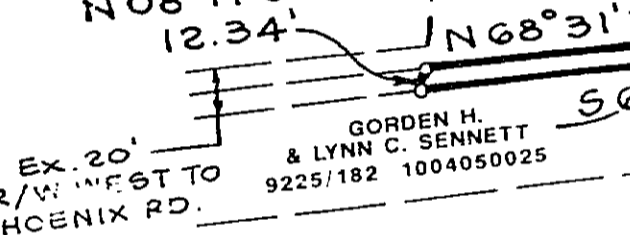
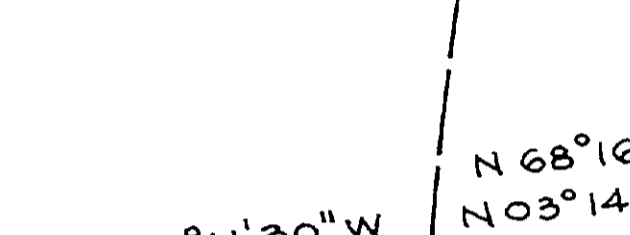
1. All lots shown herein are for single family use only and are for sale.
2. Existing land use is residential and agricultural.
3. To the best of our knowledge, there are no existing areas, archaeological sites, endangered species habitat, or hazardous materials on this site.
4. Baltimore County makes no warranty, expressed or implied, as to the right of any person or future owner of any lot shown herein to use all or any part of the land designated as private right-of-way for the purpose of ingress, egress, regress, or on the right to open or excavate the aforesaid private right-of-way for the purpose of installing, constructing, and maintaining utilities such as, but not limited to, water, sewer, electrical, telephone, or cable television.
5. Individual lot grading will be accomplished by the individual home building contractor(s).
6. Existing trees and vegetation shall be preserved where possible outside of road, driveway, building, and utility construction.
7. Local open space is not required for this site.
8. Topography shown herein is taken from Baltimore County photogrammetric maps.
9. Soils shown herein are taken from Baltimore County Soil Survey Map 18.
10. Lots shown herein shall operate on private well and septic systems.
11. A storm water management waiver request has been applied for.
12. Total Average Daily Trips: 8 lots x 12.4 = 99.2 ADT's.
13. There are no existing underground fuel tanks on this site.
14. Mitigating measures for soils with limitations due to steep slopes:
 - a. Wherever possible, grading or disturbance of steep slopes shall be avoided.
 - b. All lots and roads shall be graded so as to direct any concentrated storm water runoff flows away from areas of steep slopes.
 - c. If disturbed, all areas of steep slopes shall be properly vegetated to ensure stability and prevent erosion.
15. There are no wells or septic within 100' of the property, except as shown.
16. All trash and debris will be removed from the site prior to approval of the recorded plat.
17. The property as shown on the plan has been held in trust since August 10, 1973, the developer's engineer has confirmed that no part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density or area to support any off-site dwelling.
18. Access for Lot 9 will be provided through the existing 20 foot right-of-way out to Phoenix Road. No access to Stewart Glen Drive will be provided to Lot 9.
19. Accessory Structure Notes
 1. Envelopes shown herein are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Section 400 and 301 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits).
 2. Accessory structures, fences and projections into yard cannot be located in flood plain areas or hydric soils.
20. Director of Permits Development Management Note

This development plan is approved by the Director of P.D.M. based on his interpretation of the findings of the engineering and planning departments, and is subject to the following conditions: that it complies with the regulations, and that the developer shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies. Any part or parcel of this tract that has been utilized for density to support dwellings shown herein shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated presently on said plan. Utilization will have occurred when a dwelling is constructed and transferred for the purpose of occupancy.
21. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer and Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
22. Any Forest Buffer and Forest Conservation Easement shown herein is subject to protective covenants which may be in the land records of Baltimore County and which restrict disturbance and use of these areas.

TYPICAL PARKING LAYOUT



PAVING SECTION



McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(301) 527-1555

Computed by: J.D.G.

Drawn by: W.D.G.

Checked by: G.C.S.

Job Number: 94-153

J.W.Mc 3/7/96

James W McKee Date

(Maryland Registered No. 9012)



I, *James W. McKee*, certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

TITLE HISTORY

The property shown herein has remained in-trust since August 10, 1973, prior to the adoption of the R.C.-4 Zoning (1975). The following two (2) out-conveyances occurred after 1975:

Parcel A	Parcel B
0.763 Acres Marie L.P. Stewart onto Arlene R. Carpenter and Marilyn R. Carpenter June 17, 1986 Deed: 7209/703	0.500 Acres Marie L.P. Stewart onto Marie L. Ballardworth April 8, 1993 Deed: 9701/751

SUMMARY

Original Tract Area	46.014 Acres
Less Out-Conveyance Parcel One	(0.763 Acres)
Less Out-Conveyance Parcel Two	(0.500 Acres)
Remaining Tract Area	44.752 Acres

ZONING REQUEST

Requesting approval by special hearing of the prior conveyance of Parcel "A" and Parcel "B" as non-density areas and to reclassify the original R.C.-4 density for the property of site line permitted: (R.C.-4 density = 0.5 lots/acre, therefore number of lots permitted = 46.014 x 0.2 = 9 lots).

SITE DEVELOPMENT PLAN AND PLAT TO ACCOMPANY SPECIAL HEARING REQUEST

STEWART PROPERTY

14309 PHOENIX ROAD

10 TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 100' PDM # X-332 DATE: 3 / 6 / 96

96-346-SPH

350

LEGEND

EXISTING CONTOURS

SLOPES > 25 %

EXISTING STREAM

LIMIT OF WETLANDS

SOIL TYPES

FOREST BUFFER EASEMENT LINE

AND

FOREST CONSERVATION EASEMENT LINE

EXISTING WOODS LINE

HOUSE SITE

WELL AREA

PERC TEST

PROP. SEPTIC AREA

TYPICAL PARKING LAYOUT

PAVING SECTION

FOREST CONSERVATION DATA

A.	Net Tract Area	44.8 Ac.
B.	Forest Conservation Threshold (50% x A)	22.4 Ac.
C.	Afforestation threshold (20% x A)	8.9 Ac.
D.	Existing Forest on Net Tract Area	21.1 Ac.
E.	Existing Forest Above Forest Conservation Threshold	0.0 Ac.
F.	Break-Even Point (the amount of forest to be retained for no mitigation).	21.1 Ac.
G.	Forest to be cleared.	0.0 Ac.
H.	Forest to be retained.	21.1 Ac.

SITE DATA

1. CENSUS TRACT: 4101
2. WATERSHED: 13
3. SUBWERSHED: 81
4. SCHOOL DISTRICT: 14
5. COUNCILMANIC DISTRICT: 3
6. REGIONAL PLANNING DISTRICT: 305
7. EXISTING ZONING: R.C.-4
8. GROSS AREA: 44.752 AC.
9. TAX ACCOUNT NUMBER: 1600002466
10. DEED REFERENCE: 5163/502
11. TAX MAP 35 GRID 19 - PARCEL 262
12. HIGHWAY WIDENING: N/A

SOILS LIMITATION CHART

Map Symbol	Soil Series	Homesites Limitations	Septic Systems Limitations	Hydro "K" Value	Capability Unit	
BaA	Baile	Severe: slope	Severe: slope	No	0.43	Vw-1
Cu	Codon	Severe: slope	Severe: slope	No	0.49	Iw-7
MbC2	Manor	Moderate: slope	Moderate: slope	No	0.37	Ile-25
MbD2	Manor	Severe: slope	Severe: slope	No	0.37	Iv-25
MbD2	Manor	Severe: slope	Severe: slope	No	0.37	Iv-25
MbE	Manor	Severe: slope	Severe: slope	No	0.37	Iv-25
MbE	Manor	Severe: slope	Severe: slope	No	0.32	Vlls-3

R.C.-4 DATA

R.C.-4 ACREAGE = 44.752 AC. (GROSS AREA)
MINIMUM R.C.-4 CONSERVANCY AREA (AC X 70%) = 31.326 AC.
PROPOSED R.C.-4 CONSERVANCY AREA = 32.9 AC.
EXISTING LOTS = 9
REMAINING DENSITY = 0

APPLICANT / DEVELOPER

THOMAS L. PITTMAN, JR.
15722 IRISH AVENUE
MONKTON, MD 21111
(410) 472-4184

OWNER

MARIE STEWART
14309 PHOENIX ROAD
PHOENIX, MARYLAND 21131
DEED REF: 5163/502
TAX ACCT. NO. 1600002466

VICINITY MAP

SCALE: 1" = 100'

GENERAL NOTES

1. All lots shown herein are for single family use only and are for agriculture.
2. Existing land use is residential and agricultural.
3. To the best of our knowledge, there are no critical areas, archaeological sites, endangered species habitat, or hazardous materials on this site.
4. Baltimore County makes no warranty, expressed or implied, as to the right of any present or future owner of any lot shown herein to use the lot for any purpose other than that shown on this plan. The right to open or excavate the aforesaid private right-of-way for the purpose of installing, maintaining, or repairing utility lines such as, but not limited to, water, sewer, electrical, telephone, or cable television.
5. Individual lot grading will be accomplished by the individual home building contractor(s).
6. Existing trees and vegetation shall be preserved where possible outside of road, driveway, building, and utility construction.
7. Local open space is not required for this site.
8. Topography shown herein is taken from Baltimore County photometric maps.
9. Soils shown herein are taken from Baltimore County Soil Survey Map 16.
10. Lots shown herein shall operate on private well and septic system.
11. A storm water management waiver request has been applied for.
12. Total Average Daily Trips: 8 lots x 12.4 = 99.2 A.D.T's.
13. There are no existing underground fuel tanks on this site.
14. Mitigating measures for soils with limitations due to steep slopes:
 - a. Wherever possible, grading or disturbance of steep slopes shall be avoided.
 - b. All lots and roads shall be graded so as to direct any concentrated storm water runoff flows away from areas of steep slopes.
 - c. If disturbed, all areas of steep slopes shall be properly reseeded to ensure stability and prevent erosion.
15. There are no wells or septic within 100' of the property, except as shown.
16. All trash and debris will be removed from the site prior to approval of the recorded plat.
17. The property as shown on the plan has been held intact since August 10, 1975, the developer's engineer has confirmed that no part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density or area to support any off-site dwelling.
18. Access for Lot 9 will be provided through the existing 20 foot right-of-way out to Phoenix Road. No access to Stevens Glen Drive will be provided to Lot 9.
19. Accessory structures shown herein are for the location of all principal buildings. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Section 400 and 302 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits).
20. Director of Permit Development Management Note: This development plan is approved by the Director of P.D.M. based on the representation of the zoning regulations that it complies with the zoning policy, density and bulk controls as they are delineated in the Regulations. Support or approval of this tract that has been utilized for density to support dwellings or any purpose other than that indicated previously on said plan. Utilization will have occurred when a dwelling is constructed and transferred for the purpose of occupancy.
21. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer and Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
22. Any Forest Buffer and Forest Conservation Easement shown herein is subject to protective covenants which may be found in the land records of Baltimore County and which restrict disturbance and use of these areas.

DEED LEGEND

— LIMITS OF ORIGINAL TITLE DEEDS
5163/502 & 5325/091

OUT CONVEYANCE NO. I

OUT CONVEYANCE NO. II

OUT CONVEYANCE NO. III

SITE DEVELOPMENT PLAN AND

PLAT TO ACCOMPANY SPECIAL HEARING REQUEST

STEWART PROPERTY

14309 PHOENIX ROAD

10 TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 100' PDM # X-332 DATE: 3 / 6 / 96

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(301) 527-1555

Computed by: J.O.G.

Drawn by: W.O.G.

Checked by: G.C.S.

Job Number: 94-153

James W. McKee Date 3/7/96

(Maryland Registered No. 9012)



I, *James W. McKee*, certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

TITLE HISTORY

The property shown herein has remained in-tact since August 10, 1975, prior to the adoption of the R.C.-4 Zoning (1975). The following two (2) out conveyances occurred after 1975.

Parcel A	Parcel B
0.762 Acres Marie L.P. Stewart unto Alvin R. Carpenter and Melissa R. Carpenter June 1, 1993 Deed: 7209/703	0.500 Acres Marie L.P. Stewart unto Marie J. Hollandsworth April 8, 1993 Deed: 9701/751

SUMMARY

Original Tract Area	46.014 Acres
Less Out Conveyance Parcel One	(0.762 Acres)
Less Out Conveyance Parcel Two	(0.500 Acres)
Remaining Tract Area	44.752 Acres

ZONING REQUEST

Requesting approval by special hearing of the prior conveyance of Parcel "A" and Parcel "B" as non-density transfer and to confirm the original R.C.-4 density for the property of nine lots permitted - (R.C.-4 density = 0.2 lots/acre, therefore number of lots permitted = 46.014 ÷ 0.2 = 9 lots).